



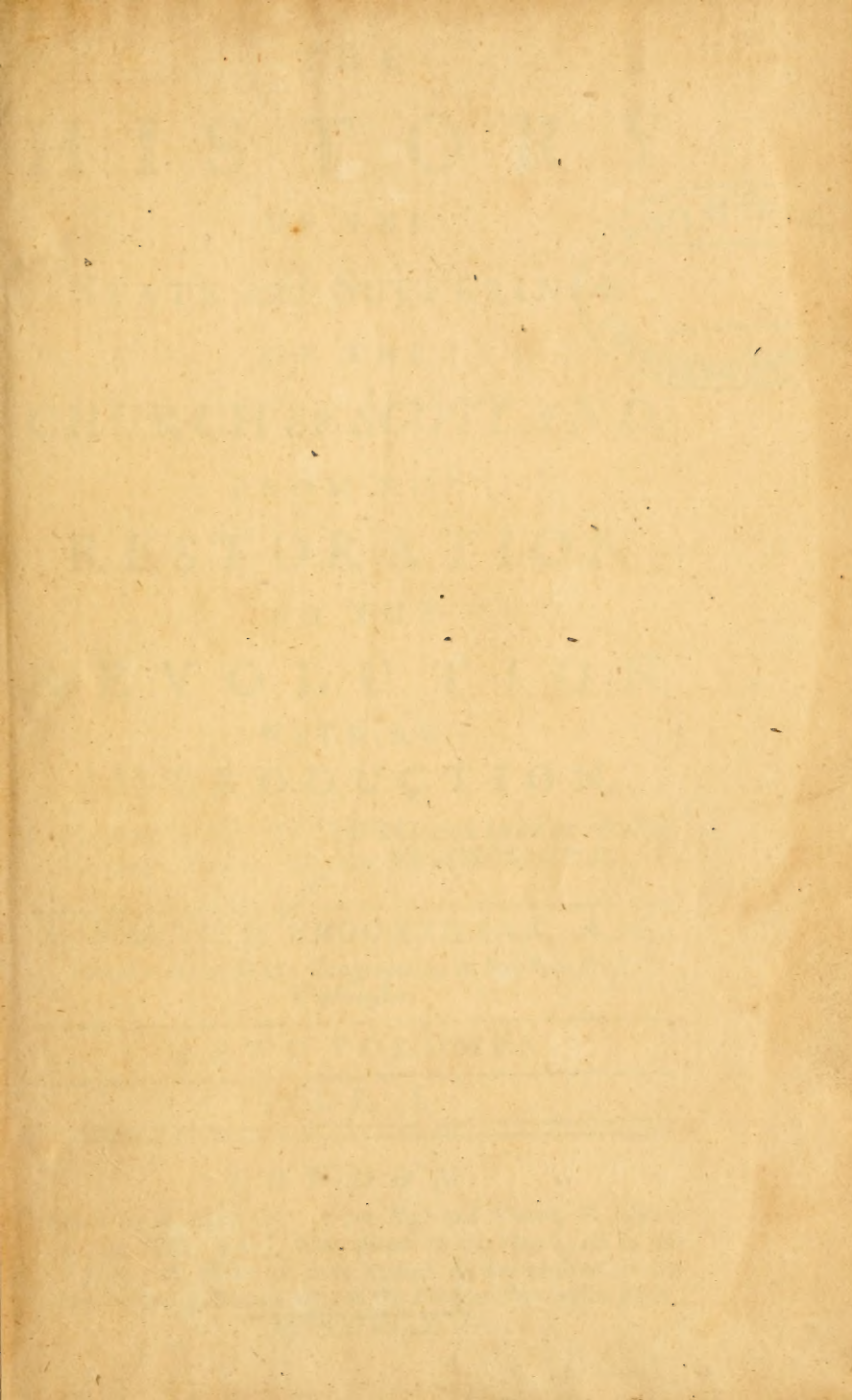
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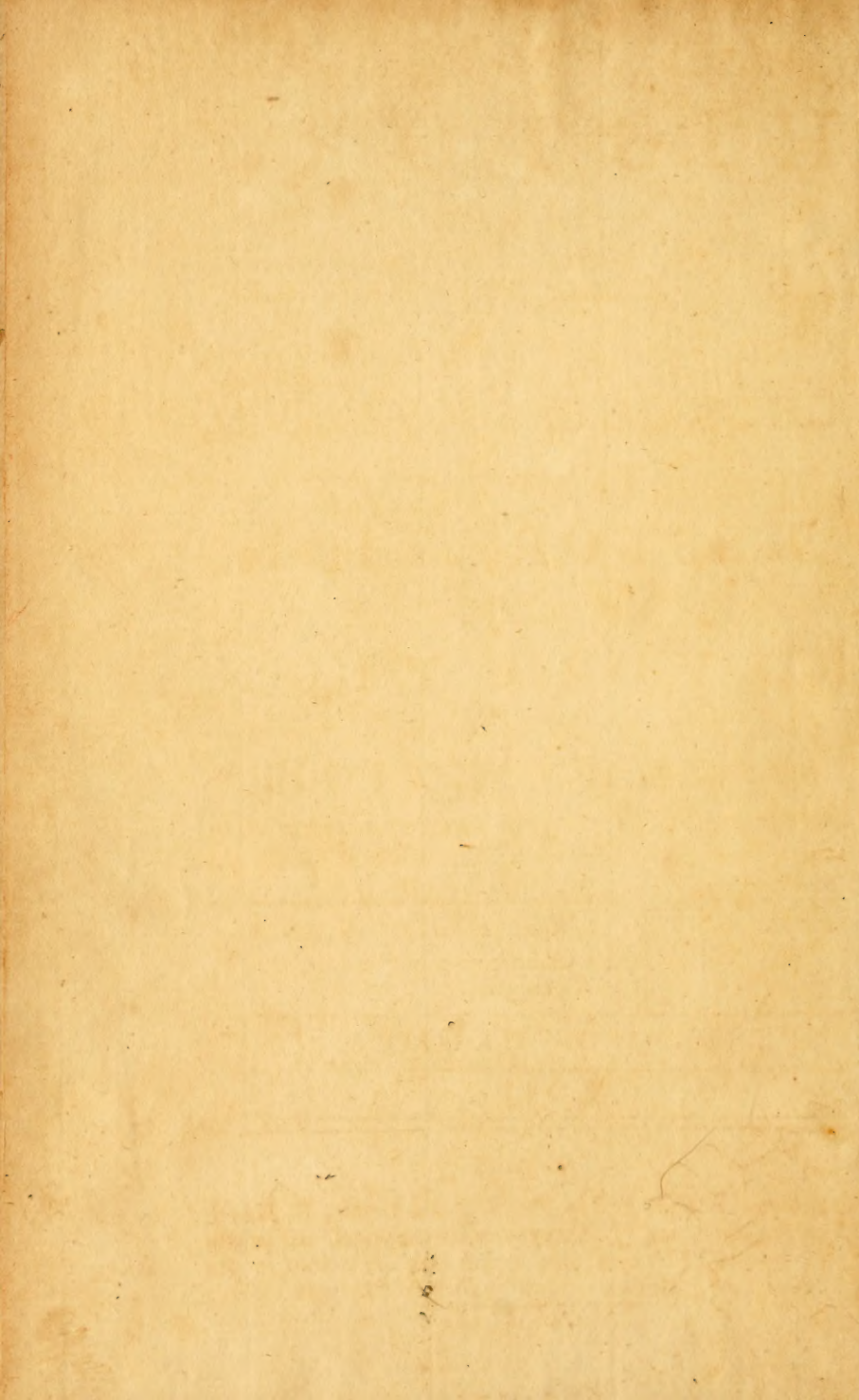
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John Rodgers. 1762





THE
HISTORY
OF THE
STATE and SUFFERINGS
OF THE
CHURCH OF SCOTLAND,
FROM THE
RESTORATION
TO THE
REVOLUTION.



WITH AN
INTRODUCTION,
Containing the most remarkable OCCURRENCES relating
to that CHURCH from the REFORMATION.

By *WILLIAM CROOKSHANK*, A.M.

Minister of the SCOTS Congregation in *Swallow-street*,
Westminster.

IN TWO VOLUMES.

VOL. I.

L O N D O N :

Printed for J. OSWALD at the *Rose and Crown*, R. HETT
at the *Bible*, and J. DAVIDSON at the *Angel*, all in the
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Strand, and J. BUCKLAND at the *Buck* in *Paternoster-Row*,

M DCC XLIX.

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T O

The Right Honourable

ALEXANDER

EARL of LEVEN.

My LORD,



ESTEEM it no small honour, to have your LORDSHIP's countenance in the design of the following performance, and permission to put the same un-

der your Patronage. I wish it had been in my power, to render it more worthy of your approbation and acceptance: but

as your LORDSHIP is able to spy out the failings in this work, so I doubt not of your Candour to throw a vail over them.

Had I been capable to present the world with a most exact, impartial and perfect *History of the CHURCH of SCOTLAND*, during this period, I know none who had a juster claim, to have it dedicated to them, than your LORDSHIP; for the great actions and sufferings of your worthy progenitors, on account of the *protestant* religion and liberties of mankind, are well known.

Sir *Alexander Lesly*, from whom your LORDSHIP is descended in the maternal line, gained so much honour abroad, that the great *Gustavus Adolphus* King of *Sweden* promoted him first to be Lieutenant General, and then Feldt-Marshal of his armies. And when the Emperor had reduced all *Germany* except *Stralsund*, which was then invested by Count *Walstein* with a formidable and victorious army, General *Lesly*, to whom that heroic Prince gave the command of the place, obliged him to raise the siege 1628, and, in the year 1630, drove the Imperialists
out

out of the Isle of *Rugen*, and thereby opened a way for *Gustavus* to march into *Germany*.

Having gained such laurels abroad, he returned to his native Country, and was chosen General of the *Scots* army, which was raised in defence of the *Covenanters* and the liberties of his Country ; and in 1641 was created Earl of *Leven*. His Lordship perform'd many signal services after this, too tedious to be related here. This Nobleman's grandson dying without male issue, and his grand-daughter marrying *George* Earl of *Melvil*, the honours and estate of *Leven* came, in process of time, to *David Melvil*, Esq; your LORDSHIP's Father.

And nothing is better known, than that the family of MELVIL, from which your LORDSHIP is lineally descended, has been remarkable, ever since the dawn of the *Reformation*, for an uninterrupted and steady adherence to that glorious cause.

Your LORDSHIP's Grandfather the said *George* Lord *Melvil* suffered not a little
4 in

in the infamous period describ'd in the following work, so that he was obliged to fly over to *Holland* for safety ; but that great Judge of men and things the illustrious Prince of *Orange* had such a value for him, that, after the glorious *Revolution*, he appointed him to be his High Commissioner to the Parliament 1690, in which the *Confession of Faith* was ratified, *Presbyterian* Government established, *Patronages* were abolished, and the Church of *Scotland* restored to the freedom of all her judicatories. This noble Peer enjoyed many other high offices under the crown ; he was not only made an Earl, but was successively sole Secretary of State for *Scotland*, Lord Privy Seal and President of the Privy Council.

His Son *David* your noble Father did great service in the happy deliverance brought about, under God, by the great King WILLIAM ; for when he was abroad, he raised a regiment of foot, and brought it over with that illustrious Prince. He likewise commanded those brave people who guarded the *Convention of Estates*, which was an assembly of Patriots, whose
names

names will ever be dear to true *Protestants*. During all the reign of King WILLIAM and a great part of Queen ANN's, his *Lordship* was Governor of the Castle of *Edinburgh*; and held likewise, under that Princess, the Offices of General of the Ordnance for *Scotland*, and Commander in Chief of all the forces in that kingdom, till towards the end of her reign, he was, by the influence of her *Tory* ministry, removed from all public employments; but his Lordship persevered in a steady attachment to the interests of the present *Royal Family*, from the act of settlement 1701 to the day of his death.

As your LORDSHIP is thus descended from a race of Patriots, who were always firm to the *Protestant* Cause, so it is well known, that you, MY LORD, maintain the same principles, and adhere to the same interest; so that as your noble Grandfather was King WILLIAM's High Commissioner to that brave Parliament, who restored the Church and Kingdom of *Scotland* to their religious and civil privileges, so your LORDSHIP has had the honour to represent the Royal Person of his present Majesty

D E D I C A T I O N.

Majesty King GEORGE II. in the General Assemblies of that church, ever since the Year 1741, and to partake of several other Marks of the Royal Favour; such is the confidence his Majesty places in your LORDSHIP, and such the Assurance he has of your Loyalty to his Royal Person and Government, attachment to the *protestant* religion, and hearty affection to the Church of *Scotland*. That God Almighty may bless and long preserve your LORDSHIP and excellent LADY, and make your *family* always patrons of religion and liberty, according to the example of your noble progenitors, is the sincere desire of, My LORD,

Your LORDSHIP's

Most Humble,

Most Obedient, and

Much Obligated Servant,

WILL. CROOKSHANK.

THE

P R E F A C E.

THE design of the following work is, to give the history of the sufferings of the Church of *Scotland* during the reigns of the ROYAL BROTHERS,-----to preserve the memory of the sufferers, and shew the cause of their sufferings,-----to shew us, what we have to expect, should ever any of the pretended race of the STUARTS fill the *British* throne,-----and, if possible, to convince us of the unspeakable obligations a good and gracious God has laid us under, in delivering these nations from the tyranny of their oppressors.

It is but a very general and imperfect account, that is given of the sufferings of the Church of *Scotland* in this period by the *English* Historians; for they had neither proper informations, nor materials. The Revd. Mr. *Robert Wedrow* Minister at *Eastwood* is the only person, who has given a large account of these things in his excellent history; but as that Work is contained in two large volumes in folio, so there are but few that have

VOL. I. b either

either time to peruse it, or can afford to purchase it; and since the reducing such a performance into more narrow compass was thought proper for making the history of this period more universally known, I was prevail'd with, by many of my friends, to undertake the difficult task.

The worthy historian, just now mention'd, had excellent materials for his performance, having in his hands the records of the nation, besides original papers and well attested narratives, from those who were immediately concern'd, or were present at the facts he has recorded; and many Gentlemen and Ministers related to the sufferers favoured him with well attested accounts of the sufferings of particular persons, as his preface sufficiently declares; so that it is easy to see, what labour and pains he must have been at in composing a work from such a multitude of papers he had to peruse, there being no historian before him, from whom he could have any assistance. As this, I think, is a sufficient excuse for the voluminousness of his history, so it shews the expediency of this undertaking.

The account that is here given is indeed tragical; for it is the history of a most cruel persecution, and opens a scene, that may justly fill us with horror. The laws against the sufferers were written in blood and executed by a military force; all methods of cruelty were made use of by a *prelatical* faction, who not only invaded the properties of the subject, but even the prerogatives of the Mediator, as the only head of the church. Many were exorbitantly fined, unjustly imprison'd, oppressed by soldiers, plundered by dragoons and a lawless *Highland host*. Multitudes were forced

to wander about in dens and caves of the earth. Not a few were tortured by boots, thumbkins, fire-matches, &c. Some were beheaded, others were hang'd and quarter'd; women as well as men suffer'd death; some of them were hang'd and others drown'd; prisons were crouded, and ships were loaded with prisoners, who were banish'd from their native country, of whom many perish'd, &c. &c. &c.

But what had they done? were they murderers of fathers or murderers of mothers? were they thieves or robbers? quite the reverse; for they were pious and religious persons. Their enemies indeed have pretended, that it was not so much for religion, as rebellion, that they suffer'd. Accordingly, Sir *George Mackenzie*, in his *Vindication of the Reign of King CHARLES II.* has the assurance to say, p. 17, "That there did not die, " upon any public account, twelve in all that reign, " and that not one died for any principle of religion, unless it be thought a religious principle " to die for actual rebellion;" and elsewhere, p. 8, "That no man in *Scotland* ever suffered for his " religion;" than which nothing can be more false, and the following history will sufficiently refute the many lies and malicious misrepresentations in the *Advocate's Vindication*, and clearly shew, that whatever steps the sufferers took, were the effect of unparallel'd cruelty and unsupportable oppression. It is well known, that tho' no people could be more attach'd to any Prince, than the *Scots* PRESBYTERIANS were to King CHARLES II. and no Prince was ever under greater obligations to protect any subjects, and maintain them in the inviolable possession of their religious and civil liberties, than *Charles* was to protect them;

yet he was no sooner restored, but he and his wicked ministry proclaimed to all the world their horrid dissimulation, ingratitude and perjury ; for, notwithstanding the covenanted ties, which lay upon the King and all the nation, they overturn'd the *presbyterian* settlement, which all, with uplifted hands, had sworn to maintain, establish'd *prelacy*, which, with the greatest solemnity, they had sworn to extirpate, and oblig'd all to make a declaration against the COVENANTS, and persecuted those, who could not comply ; so that *Presbyterians* were counted rebels, because they could not *perjure themselves*, according to the Example of the King and his Ministers, nor submit to *prelacy* and the *supremacy* ; because they esteemed *diocesan* Bishops, as contrary to the word of God, and therefore could never own and acknowledge them, without acting contrary to their consciences. They likewise look'd upon the *ecclesiastical* supremacy as an usurpation of Christ's throne and dignity ; especially as it was asserted, in the preamble to the first act of session 2d parl. 1. *Char.* II. “ That the ordering and disposal of the external government
“ and policy of this church doth properly belong
“ unto his Majesty, as an inherent right of the
“ crown.” Their noncompliance with these things was the cause of their sufferings in the manner as related in the following work.

It is true, many of them *took arms in their own defence*, being constrain'd thereto by horrid oppression and dismal tyranny, and at last, some renounced the authority of the two tyrants, but not till after they had been denounced, intercommunicated, and put from under the protection of the laws of their country ; and if *that* was rebellion, so was the *revolution* ; but the accusations of their
enemies

enemies on this score deserves but little regard, since after the *revolution*, the forfeitures pass'd in these two reigns were revers'd by act of parliament, and they, who were most active in the defence of themselves and their religious and civil rights, are expressly mention'd, as Mr. *John King*, Mr. *John Kid*, Mr. *William and Alexander Gordons* elder and younger of *Earlstoun*, *Henry Hall* of *Haughead*, Mr. *Cargill*, Mr. *Robert Bailly* of *Jerviswood*, *Archibald* Earl of *Argyle*, *George* Earl of *Melvil*, nay, and Mr. *James Renwick*, &c. &c. &c. The reader may see the act, in the last number of Mr. *Wodrow's* appendix to his second volume.

Little regard, I conceive, is to be paid, to what others have alledg'd, that many of them threw away their lives, and that they suffer'd only for trifles; but if *that* was the case, was it not vile for the ministers of state and others, in this dismal period, to shed the blood of so many innocent people for trifles? but was it a trifling matter to act against their consciences, to renounce their principles, to own the authority of a Prince, who had usurped the authority of Christ over his own Church, and that in the very exercise of his usurpation? but I shall not here anticipate, what the reader will, I hope, find clear'd up in the history. In short, they were brave martyrs for their religion and liberties, and a covenanted work of reformation, in opposition to *popery*, *prelacy*, *eras-tianism*, &c. and it is well known, that whatever *resistance* was made by any *presbyterians*, during the sway of tyranny and arbitrary power; yet they of that denomination have ever shewn themselves strict adherers and firm friends to legal government.

As the following history is intended to preserve the memory of those, who suffered for their religion and liberties, so it gives us a view of what may be expected, should ever the *Pretender*, or any of his race, ascend the *British* throne, or should ever *prelacy*, not to speak of *popery*, be establish'd in *Scotland*. It is a just observation of the author of the *Memoirs of the Church of Scotland*, p. 194, " That
 " *episcopacy* never got ground in that kingdom but
 " by violence, and never fail'd to exercise what
 " power it had there, to oppress and destroy its
 " opposers, being always animated with a spirit
 " of persecution in the church, and absolute ty-
 " ranny in the state," as will appear most evident from the following work ; in which we have a view of the dismal methods the *prelates* and their abettors were pleased to take to support their power, and that they never ceased to vent their spirit of persecution against their fellow protestants, while they were able ; and there are not wanting proofs, that the *episcopalians* have shewn the same inclinations to this day, and only want an opportunity to give farther demonstrations of them. As they were inveterate enemies to the *revolution*, so they have made many attempts since that time to overturn our present happy settlement, and bring us again under their intolerable yoke : but, by the interposition of a kind Providence, all their councils have hitherto been defeated, and all their measures disconcerted. And happy was it for these nations that it was so ; for had they succeeded, we could have expected nothing, but that the same bloody scene, that is here presented, would have been open'd again, and the same methods of oppression and tyranny made use of. It has been alledg'd, that we had nothing to fear, because their

KING,

KING, as they call him, would have come under the most solemn engagements to maintain the *protestant* religion ; but who will question that ? Is it possible for him to come under stronger engagements than King CHARLES II. or make fairer promises than his pretended father JAMES VII ? The *Pope*, no doubt, would give him liberty to swear all the oaths, that could be invented, and break them too, when ever it should be in his power. *Popish* princes may promise and swear, whatever they have a mind, but they cannot perform what they please, because their consciences are in the keeping of others, to whom they stand solemnly engaged, as their infallible guides in the matters of religion.

Had therefore the *Jacobites* been so numerous, or powerful, as to succeed in their designs, and raise the *Pretender* to the throne, to what dreadful circumstances must the nation have been reduced ? would not the *Pretender* have resented, to the highest, the opposition made by the *Presbyterians* to his pretended father and himself, or the inviolable attachment they have retained to the *revolution* settlement, and the *protestant* succession in the illustrious house of HANOVER.

As all firm *protestants* in *England* appeared against every attempt, made in favour of that abjured race, so the church of *Scotland* was exceeded by none, in standing up for the present happy establishment. With what firmness and constancy, with what boldness, resolution and courage did they espouse and plead for this cause, even in the presence of the *rebels* themselves, when it was not in their power to oppose their ravages ? How they exposed themselves to the fury of the enemy by praying for King GEORGE, preaching against

popery

popery and rebellion, &c. &c. is well known. What then must *they*, and all the other hearty friends of their King and country, expect, should it ever be in the power of this emissary of *Rome* and *France* to revenge his quarrel? If their sufferings were so great under CHARLES and JAMES, what they must be under this bigotted tool, is easy to conceive.

This work is also designed, to convince all true *protestants*, especially those of the Church of *Scotland*, what obligations we are under to God, for the remarkable interposition of his providence, in delivering these nations from the intolerable yoke of a race of tyrants, who did all they could to establish arbitrary power, and subvert the constitution of the kingdom; a race, who paid no regard to promises, oaths, and laws; a race, who studied more to gratify the *French* King, than how to consult the happiness of their own subjects; for who can read an account of the miseries of the nation under their tyranny, and not see the greatness of that mercy, in delivering us from them? especially when we consider, that the same Providence, to which such a deliverance was owing, has frequently since appeared, in defeating all the attempts that have been made to enslave us.

But have our returns of gratitude been answerable to the greatness of our mercies? What means then that deluge of atheism, blasphemy and profaness, that so much abounds? Whence are the complaints of the more serious in all places of the nation, of a lamentable course of defection from our *reformation-principles*? And in a particular manner, whence is it that so many worthy persons have seceded from the judicatories of the Church of *Scotland*? and

how comes it, that many, of those who have not seceded, are so much dissatisfied with the conduct of these judicatories? For my own part, though I look upon *secession* to be a very tender point, yet I cannot in charity think, that some of those who have seceded, however they may have carried matters too far, have acted without any provocation; but as I know not the springs of the conduct of the different parties now in *Scotland*, I shall only say, that where divisions prevail, matters are generally carried to extremities on all hands, and in order to a reconciliation, concessions ought to be made by all the parties, if it can be done, without making truth a sacrifice to peace. May God himself heal our divisions, put a stop to our defections, unite the hearts of all, who have a real concern for the advancement of his glory, and revive a work of reformation among all ranks and degrees of persons.

I have heard it objected, that a history like this should not be published, because it may give offence to the *episcopal* Church of *England*. But what ground there is for this, is not easy to be imagined, unless we should suppose the present Bishops of *England* of the same persecuting disposition with the old *Scots* Bishops, or with several of their own predecessors: But this is not the case; for though, according to true presbyterian principles, *prelacy* is bad in itself, and contrary to the word of God, yet the present *prelates*, to their honour I speak it, have not shewn the least inclination to persecute those of different sentiments from themselves; so that it would be a reflection upon them to suppose, that they would be offended at a *History of the State and Suffering of the Church*

of SCOTLAND. And what if they should be offended? must truth be concealed for fear of giving offence? There is no question, but it may offend the *Scots* EPISCOPALIANS, who are generally *Jacobites*, as they have ever been since the *Revolution*: but I neither court their favour, nor regard their resentments, as they have always appear'd not only of a persecuting spirit, but also enemies to to their country and our present happy establishment.

It has also been urged, that a history of this nature can only serve to revive old quarrels; but these persons don't consider, what attempts have been made to bring us under the *old yoke of bondage*, how the enemies of our present happy constitution have, once more, endeavour'd to subvert it; and therefore as the revd. Mr. *Wodrow* published his history a few years after the unnatural *rebellion* in 1715, so many of my friends, both in *England* and *Scotland*, have thought it both proper and reasonable, that this should appear in the world, after the rebellion in the year 1745. It was the *Jacobites*, that revived old animosities; and this history, as has been already observ'd, shews the miseries, in which we should have been involved, had God, in judgment for our many defections, and the crying abominations of the land, permitted them to be successful. If it be further considered, what a degree of reformation the Church of *Scotland* attained to, both with respect to doctrine, worship, discipline and government, and how zealously our worthies resisted even unto blood, a faithful account of these things has rather a tendency to excite to a holy concern, for having a stop put to the defections of the present degenerate age, for a revival of a work of reformation, and for quickening

quickening our resentments against *Popery*, *Prelacy*, and every thing, that tends to reduce us to that state of slavery and persecution, described in the following work.

When I first engaged in this undertaking, I only intended to abridge Mr. *Wodrow's* history; but, at the advice of many friends, I was induced to use other helps, for making the history of this persecuting period more clear and full. Accordingly, when I mention any thing not to be found in *Wodrow*, I generally tell my author, or quote him in the margin; so that, tho' there is nothing I thought material, in that author, which I have omitted, yet the reader will find many things of consequence, in the following work, which the other takes no notice of.

But instead of the great number of letters, that passed between *Sharp* and Mr. *Duglass* and others, which make up the greatest part of Mr. *Wodrow's* introduction, I thought it would be more to the advantage of the *English* reader, to give a short account of the most remarkable transactions of the Church of *Scotland* from the *reformation*; but I am sorry to have it to say, that after the end of *Calderwood's* history, there is a chasm in the history of the Church of *Scotland*, from the death of King *JAMES VI.* to the *restoration*, though it appears from Mr. *Wodrow's* preface, that there are sufficient materials, not only for rendring the history of that church, from the *reformation* to the death of of the said Prince more perfect, but also for continuing the same down to the *restoration*; and therefore I am of opinion, that it would be of great service, if they, in whose hands these materials are, would favour the world with them.

It is not for me to speak much concerning my own performance, which must stand or fall according to the judgment of others; and indeed it would be an unpardonable piece of vanity, should I pretend to have given a perfect, or a faultless, history. There will doubtless be found several mistakes; and therefore I shall take it very kind, in my friends, if they find any thing in this work either mistaken, or, through inadvertency, misrepresented, to let me know it, that, if ever I have an opportunity, I may rectify the same. However, I have endeavoured to set things in as clear a light as I could, and, for this end, have related the facts mention'd, as much as possible, in the order of time, when they happen'd; and where there are any *Scots* words, which might not be so well understood by the *English* reader, I have generally explained them in the margin.

As to the unhappy differences, that arose among the presbyterians, concerning the *indulgence*, the paying of *cess*, the *toleration* of King *James*, &c. I have given the reader an account of what was said by both parties, in as fair and candid a manner as I could; and some perhaps will think, it had been much to the advantage of the common cause, against *papery* and *prelacy*, had the contending parties shewn more christian forbearance, than it appears they did. Many worthy and holy men thought it their duty to accept of the *indulgence*, &c. and the generality of the *presbyterians* embraced the *toleration*; and as their conduct was, perhaps, too severely censured by those, who could not comply, so those noncompliers were too bitterly exclaimed against by the others; but such are the consequences when divisions prevail.

If

If I had been favoured with more materials, than I could have access to, as the manuscript history of the Revd. Mr. *M^cWard*, some things might possibly have appeared in a clearer light. The Revd. Mr. *Wedrow* told my honourable friend Sir *Thomas Gordon* of *Earlscoun*, that had he seen that history, and the letters that passed between the societies in *Scotland* and their correspondents in *Holland*, his history would have had a different turn; I thought it therefore my duty, to apply for the said history; but could not obtain it. Upon the whole, I have given as full and distinct account of what happen'd, during these two infamous reigns, as I could; and if the imperfections, or mistakes, in this performance shall excite any better qualified for such an undertaking, to favour the world with a more distinct account of these things, I shall be very well satisfied, and shall not be altogether disappointed in my design of publishing this.



T H E



A
P O E M
ON THE
Rev'd. Mr. *CROOKSHANK*'s
H I S T O R Y
OF THE
S T A T E and S U F F E R I N G S
OF THE
C H U R C H of S C O T L A N D.

By THOMAS GIBBONS.

THE scenes of distant æras to disclose,
Paint o'er their blessings, and recal their woes ;
To set each virtue in its native light,
And from each vice to strike the cloud of night ;
To trace a country's genius strength and laws,
Their various workings, and their latent cause,
Is HISTORY's great task ; and thus thy page
Unfolds, O CROOKSHANK, the departed age.

Of late, REBELLION, like some sudden storm
That dares the bosom of the deep deform,
And strive to mingle in one wreck of woe
Earth, air, and skies, and ocean's gulph below,

With gloomy tempests our horizon spread,
 And thunder'd instant ruin o'er our head:
 But, thanks to heaven, the dreaded danger past,
 BRITANNIA smiles triumphant from the blast.
 Yet still perhaps some discontented minds,
 Like ÆTNA murm'ring with imprison'd winds,
 Would fain renew the wild destructive rage,
 Dethrone our King, and o'er our golden age
 Would the thick glooms of *popish* error cast,
 And bind us in eternal fetters fast.
 Let such, if such distemper'd minds remain
 In BRITAIN's realms beneath a BRUNSWICK's reign,
 Roll back the Annals of preceding times,
 The peoples miseries, and the Monarch's crimes;
 Then match the horrors with our happy days,
 Enjoy the bliss, and shout the thankful praise.

In MARY's reign, her guardian promise broke,
 Our land receiv'd the Anti-christian yoke;
 Bent were our fathers with the iron load,
 It gall'd their shoulders, and it drunk their blood.
 Whom see I there the murd'rer's chain partake,
 Corded and burning at the social stake?
 RIDLEY and LATIMER; illustrious pair!
 This all their guilt,—to live divinely fair,
 And resolutely good: nor *these* alone,
 Hark, from the realm the universal groan;
 Triumphant POP'RY hurls the flaming brand,
 And martyr'd victims blaze through all the land:

MARY no more; the bloody harpy flies
 From ALBION's cliffs, and seeks her WESTERN skies;
 But still its genius half-survives behind,
 And half infects the brave ELIZA's mind:
 On PURITANS, averse to modes and forms,
 She bends her brow in unrelenting storms;
 The deep damp dungeon wails with pious breath,
 And cords and gibbets shriek with guiltless death.

JAMES mounts the throne; but, proud of empty fame,
 Extravagantly lifts the royal name;
 Monarchs must shake an undisputed Rod,
 And nations bow to their despotic nod;

He dies,—but, oh! the father's madness lays
 The ground of woes for his successors days :
 Then PRELACY, by regal pow'r sustain'd,
 The native freedom of our souls restrain'd,
 Then great in vengeance rose pontific LAUD,
 Rear'd his tribunal, and the kingdom aw'd :
 The scourge was crimson'd with the tyrants rage,
 And life-long prisons mourn'd the *iron age*.

NEXT CHARLES the Son assum'd imperial sway,
 And BRITONS hop'd a more propitious ray,
 But hop'd in vain ; for from its dust arose,
 Grasping ten thousand thunders for it foes,
 PRELATIC pow'r. What numbers shall relate
 Its headstrong fury, and its iron weight ?
 The stars that blaz'd in ALBION's hemisphere,
 And long dispens'd unclouded radiance there,
 No more were suffer'd to indulge their light,
 Torn from their orbs, and sunk in endless night.
 On all that durst not to the *mitre* bow
 Harsh laws were yok'd, and edg'd with penal woe.
 Charg'd from the throne, here all-rapacious THEFT
 The orphans dow'r, and widow's mite bereft.
 Here CRUELTY the royal mandate pleads
 For peace molested, and inhuman deeds :
 Assembled saints, their pastors at their head,
 These met to give, and those to take the bread,
 Were seiz'd by wolves to ev'ry pity steel'd,
 Threaten'd, revil'd, insulted, and compell'd
 To share with thieves their half-defrauded cell,
 And there in long and painful durance dwell.

But ALBION bears the lighter lot of ills ;
 See the thick tempest bursts on SCOTIA's hills :
 See by that Prince the SACRED COMPACT torn,
 Who late to guard th' uninjur'd rights had sworn :
 See at his nod EPISCOPACY spread,
 Its sov'reign mitre tow'ring on its head ;
 Pale famine, rage, and terror lead its way,
 And *death* upholds the standard of its sway.
 'Tis not enough felonious caves to fill,
 'Tis not enough for cords and steel to kill,

But

But on the ancle the sharp wedge descends,
The bone reluctant with the iron bends,
Crush'd is its frame, blood spouts from every pore,
And the white marrow swims in purple gore.

Next JAMES succeeds ; and still the slaughter spread,
And blacker woes impended o'er our head :
POP'RY, before unwilling to be known,
'Tempts a bold flight, and seats her on the throne ;
There, proudly wantons in the Tyrant's ray,
Her talons whets, and dooms the world her prey.
Then MONMOUTH's star, ascending in the WEST,
Appears, but sinks in crimson clouds oppress'd ;
While dogs of death, commission'd to destroy,
Rush rend and havock with remorseless joy :
The WESTERN vales unbounded murder fills,
And SCOTIA wails thro' her unnumber'd hills.

But see from *Belgia's* less'ning strands advance,
While gales exulting in the streamers dance,
The great NASSAU ; to ALBION's coast he bends,
The first of heroes, and the best of friends.
The ocean, proud the blessing to convey,
Wafts him with speed along the watry way.
See on our shores the brave DELIV'ERER stand,
Loud sounds th' extatic welcome o'er the land,
While abject TYRANNY avoids the sight,
As rav'ning wolves detest the rising light ;
And now his angels and his own renown
With peaceful olives lead him to the throne
Triumphant ; recreant at his vital smile
RELIGION blooms, and FREEDOM o'er our isle
Shoots her glad ray ; and still the bliss divine
Full and unclouded shines in BRUNSWICK's line :
Oh ! may it shine, till TIME has spent his store,
Till heav'ns revolving fires shall blaze no more,
Till that great day shall break upon our eyes,
That melts the ball, and takes us to the skies,
Where pure RELIGION o'er the blissful plains
Pours her eternal beam, and endless FREEDOM reigns.

ERRATA in Vol. I.

Page 1, line 24, after writers dele, p. 25, r. ground) *with popery* ; p. 35, marg. r. *The King goes to the Scots* ; p. 75, l. 16, r. *Barclay* ; p. 91, l. 15, r. *King* ; p. 94, l. 4, r. *shewn* ; in p. 118, l. 20, r. *Rossie*, p. 163, l. 23, r. *Counsellors* ; p. 165, l. 36, r. *Eorlstoun* ; p. 176, l. 16, for *three* read *there* ; p. 184, l. 5, dele *of* ; p. 207, l. 13, r. *June* ; p. 223, l. 23, r. *Edinburgh* ; p. 230, l. 7, r. *at home*. or p. 261, l. 21, r. 195. 196 ; p. 285, l. 21, r. *Dumbarrie* ; p. 294, l. 25, r. *turn* ; p. 313, marg. r. *Blaiket* ; p. 335, l. 17, for *recorded*, r. *related* ; p. 367, l. 17, r. *which he had* ; p. 381, l. 1, r. *Mr. Alexander Jamison and Mr. Hugh Smith* ; p. 387, l. 33, r. *then, the Council* ; p. 388, l. 27, after *Council* dele, ; the page after 390 is wrong number'd ; p. 399, l. 18, dele *only he* ; p. 412, l. 5, r. *was ordered to be let out* ; p. 433, l. 12, r. *to the shire* ; p. 434, l. 13, r. *precedent* ; p. 438, l. 1, r. *swore* ; p. 459, l. 3, after 1670, dele, ; p. 482, col. 1. l. 9, for 336, r. 406 ; p. 485, col. 1. l. 9, for 235, r. 325, p. 487, l. 5, for 431, r. 311 ; p. 488, col. 1, l. 48, for 4—, r. 466 ; p. 489, col. 1, l. 25, r. *persecuted* ; p. 490, col. 1. l. 22, for 467, r. 476 ; p. 493, col. 2. l. 13, r. *Veitch*.

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The INTRODUCTION, *containing*
the most remarkable Occurrences of the
 CHURCH of Scotland *from the* REFOR-
 MATION.

OUR Historians generally agree, that Christianity was planted in *Scotland*, a few years after the ascension of our Saviour, by some of the disciples of the Apostle *John*, who fled thither to avoid the persecution of the bloody tyrant *Domitian*; though it was not publickly professed till the beginning of the third century, when *DONALD I.* his Queen, and several of the nobles were solemnly baptized. That Prince did his utmost to extirpate idolatry, and settle a gospel ministry; but was not able to accomplish his pious design, by reason of the continual wars in which he was engaged with the *Romans*.

Christianity planted in Scotland.

But afterwards Christianity was much promoted by several Ministers and private christians, who were obliged to come from the south parts *Britain*, on account of the persecutions under *Aurelius* and *Dioclesian*. And these, for their single and retired life were called *μοναχοι*, or *Monks* by abbreviation, and for their diligence in the worship and service of God, *Colidei*, or *Culdees*. The Overseers of them were commonly termed, by the writers, of that time, *Scotorum Episcopi*, the *Bishops* of the *Scots*, though without any definition of place, or prebeminence of one above another.

The Culdees. Pref. to Knox's hist.

For many years the *Scots* had nothing to do with the Bishop of *Rome*; for as the gospel was planted among them without his help, so they retained it in its purity, till, in process of time, they became infected with the *Pelagian* heresy. *Celestine* then Bishop of *Rome*, is said to have sent *Palladius* into *Britain*, to aid the orthodox

Palladius sent into Britain.

Prof. to
Knox.
list.

inhabitants against this spreading contagion. EUGENIUS II. hearing of his success in the southern parts, sent for him to *Scotland*. He came; and, having been of great service in suppressing this heresy, at last so far insinuated himself into the hearts of the people, that he obtained their consent to have the government of the church changed into PRELACY. *Boetius, John Mair, John Leslie, John of Fordon, Baleus* of the *Britain* writers, *Baronius, Prosper, &c.* as my author evinces, all maintain, that the *Scots* before *Palladius* had no Bishops at all, or at least their Bishops were not of any *distinct* order from other Priests or *Culdees*, by whom they were ordained. After this *Palladius*, the Church of *Scotland* gradually declined, till *Popery* overspread the whole land. But in the darkest times of *Popery*, there were always some who stood up for the truth.

The Refor-
mation.

In the year 1494, the *Reformation* began to dawn, and the light of the gospel to shine in several parts of the country. This so enraged the *romish* Prelates, that, with fire and fagot they endeavoured to destroy all that professed the true religion, till about the year 1550, a further work of *Reformation* began to be carried on by some eminent persons whom God raised up, particularly the renowned Mr. JOHN KNOX, one who shunned no danger, nor feared the face of any man in the cause of religion.

Mr. Knox,
Calder-
wood.

Knox's
list.

When Mr. *Knox* was called to the ministry, he preached publicly in the parish church of *St. Andrews* with much acceptance. Others before him hewed at the branches, but he struck at the root of *Popery*. But God having work for him elsewhere, he went abroad for some time. He preached some years in *London, Newcastle* and *Berwick*. After the death of *EDWARD VI.* of *England*, he retired to *Geneva*, and from thence to *Frankfort*, where he opposed the *English Liturgy*, which he said was a superstitious model borrowed from the *Papists*, for which he met with no small troubles. While he was abroad, *John Willock, Jo. Douglas*, alias *Grant, Paul Methuen, Will. Harlaw*, and sometimes *John Erskine Laird of Dun*, preached at private meetings

in *Edinburgh*. Mr. *Knox* returned to *Scotland* about the end of the harvest 1555, preached and administered the sacraments in several parts of the country. Next year he returned to *Geneva*; but such was the rage of the *romish* party, which still had the ascendant, that, after his departure he was burnt in effigy at the market-cross of *Edinburgh*, in July 1556.

In *October* 1557, he wrote to the Lords, who had embraced the true faith, wherein he tells them, that the reformation of religion and of publick enormities belongs to more than the clergy or chief rulers called **KINGS**. His letter being read, several Noblemen entered into a bond, or **COVENANT**, or association, wherein
 “ they promised before God and his congregation, that,
 “ by his grace, they would with all diligence apply
 “ their whole power, substance, and their very lives to
 “ maintain, set forward and establish the most blessed
 “ word of God and his congregation; and would labour,
 “ according to their power, to have faithful ministers truly and purely to minister Christ’s gospel and
 “ sacraments to his people; that they would maintain,
 “ nourish and defend them, the whole congregation of
 “ Christ, and every member thereof, with their whole
 “ power and hazard of their lives; and declare themselves manifest enemies to all superstitious abominations and idolatry.” This was subscribed at *Edinburgh*, December 3, 1557, by the Earls of *Argyle*, *Glencairn* and *Morton*, *Archibald* Lord of *Lorr*, *John Erskine* of *Dun*, &c. who after this were called the **LORDS OF THE CONGREGATION**, and the people who adhered to them were called the **CONGREGATION**.

The first Covenant of Scotland.

Soon after this, they unanimously sent Sir *James Sandilands* of *Calder*, with their petition to the **QUEEN-REGENT**, praying to have liberty to assemble publicly or privately for prayer in the vulgar tongue, to have the sacraments of baptism and the Lord’s supper administered in the vulgar tongue, and the last in both kinds, &c. The *Queen-regent* promised them fair, on condition they held no publick assemblies in *Edinburgh* or *Leith*, with which they were satisfied for the present. When the Parliament sat down in *November* 1558, they presented

Their petitions and protest. Calderwood.

sented to her another petition to the same purpose, to be laid before the Parliament, because *they would undertake nothing without her knowledge*. But finding, that notwithstanding her promises, nothing was done, they found it necessary to *protest*, that “since they cannot obtain a just reformation according to the word of God, it be lawful for them to act in matters of religion and conscience as they shall answer to God,” &c. They desired their *protest* might be registred, but that was rejected.

Queen regent's perfidy.

At last the Queen-regent appeared openly against them, and made all preparations to suppress them by force: And in order to this, she summoned all the ministers in *Scotland* to appear at *Stirling* on the 29th of *May* 1559. They came; but their attendants were so numerous, though *unarmed*, that she desired *John Erskine of Dun* to entreat them to disperse, promising, at the same time, to act nothing against the Reformers. They no sooner returned home, but she, like a true *Papist*, paying no regard to her promises, held the meeting intended, called over the names, and outlawed those that were absent for contempt.

Other associations.

The Lords of the congregation, observing the storm that was coming upon them, assembled at *Perth* on the 31st of *May*, and entered into another COVENANT or association for the defence of themselves and their religion; and on the first of *August* that same year they entered into another; and God so favoured their designs, that, notwithstanding all the efforts of the Queen-regent and her *French* auxiliaries, they made their way, and got possession of *Edinburgh* the 17th of *October* 1559, and at last the whole government of the kingdom in their hands, and the Queen-regent died the 10th of *June* 1560.

First book of discipline. Apol. relat.

In the mean time the Privy-council met; and, on the 29th of *April*, that same year, gave orders to the ministers to assemble and draw up in writing, and in a book, a common order for reformation and uniformity to be observed in the discipline and policy of the church: Whereupon the *first book of discipline*, as it was called, was drawn up and presented to the council on the 20th of *May* following. In this book, the government

of the church by *Prelates* is overthrown, church-sessions are established, the thrusting ministers into reclaiming congregations is condemned, the way of the trial of ministers contrary to the *episcopal* method is appointed, and the superstitious observation of fast days, or days dedicated to saints, is likewise condemned; and several other things tending to the right government of the church are determined. This was afterwards approved of by the council, who engaged to promote it to the utmost of their power, provided that the Bishops, Abbots, &c. should possess the revenues of their benefices during life.

It is true, *Superintendents* were appointed; yet so zealous were our first Reformers against *Popery*, that they would not acknowledge them to be *Bishops*, nor suffer any who had formerly bore that character in the time of *Popery*, to enjoy the place and power of *Superintendents*, lest the power and place might be abused, and at last degenerate into the *old power* of the *Prelates*. They were chosen by consent of the whole bounds where they were to visit: They were tried and examined by the ministers in these bounds, and had neither the sole power of ordination nor excommunication. They were subject to the censure and excommunication of the province, who might, in some cases, depose them or lay them aside. Their main work was preaching; for they were to preach at least thrice every week; and they had their own particular flocks besides, where they constantly were to reside, except when they were visiting the bounds committed to their care: Neither did they ever *moderate* or preside in General assemblies, unless they had been chosen by a majority of votes.

By order of the Parliament, which met in *August*, the Reformers drew up a large *CONFESSION* of their faith, which was read in the house, and then openly avowed and professed by them. This Parliament made several acts against *Popery*, and in behalf of the Reformers, ordaining, that the Bishop of Rome, called the Pope, have no jurisdiction nor authority within this realm in any time coming, and that no Bishop or other Prelate within the realm use any jurisdiction for the time coming, by the said

Superintendents.

The first confession of faith.

Reformed religion established.

said Bishop of Rome's authority, under pain, &c. And thus the reformed religion was established by act of Parliament, and the church-government by *Prelates* virtually discharged; because *Prelates* then had no power but what they derived from *Rome*.

First general assembly.

Popery and *Prelacy* being thus discarded, the first GENERAL ASSEMBLY was held at *Edinburgh* the 20th of *December* 1560, in which ministers and readers were appointed unto several parishes through the country; and it was ordered that the election of ministers and elders should be in the publick church, and that intimation should be made the Lord's day preceeding, and that a petition should be presented to the Estates of the realm and Lords of the Privy council, that all judges, magistrates, &c. should be professors of the truth according to the word of God.

Q. Mary arrived.

A Convention of estates met in *January* 1561, at which the *book of discipline* was subscribed by many of the nobility and gentry. But Queen MARY, having lost her husband, arrived in *Scotland* from *France* in the month of *August* following, and had the *Mass* said on the next Lord's day, which gave great offence to many; and particularly Mr. *Knox* openly rebuked some professors who suffered her.

Other assemblies.

The second national Assembly met in *December*, when some debates arose concerning their meeting without the Queen's authority, and concerning the *book of discipline*; but matters were amicably adjusted. At the next Assembly in *June* 1562, it was ordained, that at every Assembly, Superintendents, ministers and elders be tried in their life, doctrine, and concerning the discharge of their office. And it is remarkable, that this Assembly would not acknowledge Mr. *Alex. Gordon*, Bishop of *Galloway*, for a Superintendent, nor admit him to that charge, till they understood that the churches in *Galloway* had elected him, and till he had subscribed the *book of discipline*.

James VI. born.

The Queen's marriage with HENRY Stuart, Lord Darnly, in *July* 1565, gave a general disgust. On the 19th of *June* next year she was brought to bed of a Prince, afterwards JAMES VI. The General Assembly,

sitting

sitting at that time, sent some of their number to congratulate her Majesty, and to desire the Prince might be baptized into the *Protestant* church. But the Queen gave no answer, but ordered the Prince to be baptized after the *popish* manner at *Stirling* castle, by the Archbishop of *St. Andrews*. Soon after King HENRY was murdered by the Earl of *Bothwell*, who afterwards married the Queen, on the 5th of *May* 1567. This horrid scene, and many other pieces of misconduct, issued in the Queen's being obliged to renounce the government in favour of her son, who was proclaimed King of *Scotland*, and crowned the 29th of *July*. Mr. *Knox* preached the coronation-sermon, and the Earl of *Murray* was made Regent, who next year on the 13th of *May* 1568, defeated the Queen's forces in the battle of *Langside*. Whereupon the Queen fled to *England*, where she was afterwards beheaded.

In the midst of all these troubles, the judicatories of the church took place, parishes had ministers settled among them, and the discipline of the church was in a great measure established; and in this agreeable posture matters continued for a few years. But Sathan, envying the prosperity of this infant church, excited some of the statesmen against her, who, having possession of the church-rents and the Prelates benefices, contrived a method for securing the possession of them to themselves, by getting in some * *Tulchan* Bishops, as they were called, who might have the name of the whole benefice, but receive only a small part, leaving the rest in the hands of these nobles. Accordingly the Earl of *Morton* got the Earl of *Marr*, then Regent, to call an Assembly at *Leith*, by means of the Superintendent of *Angus*, who upon their meeting the 12th of *Jan.* 1572. nominated six of their number to attend six appointed by the Council; and these twelve agreed to several things tending to introduce the *Prelates*; and according to these resolutions the Earl of *Morton* procured one

*Tulchan
Bishops.*

* A *Tulchan* is a calf's skin stuffed with straw to make the cow give milk. The Bishop had the title, but my Lord had the milk. *Calderswood.* p. 55.

Mr. *Douglass*, to be made Bishop of *St. Andrews*, Mr. *Boyd* of *Glasgow*, Mr. *Paton* of *Dunkel*, and Mr. *Graham* of *Dumblain*.

Mr. *Knox* was then at *St. Andrews*, and refused to have any hand in setting apart the Bishop, nay, bore an open testimony against it. The General assembly held at *St. Andrews* the 6th of *March*, appointed some of their number to examine into these things.

Mr. *Knox's* death. On the 24th of *November* the famous, pious, learned and zealous Mr. *John Knox*, departed this life. The night before he died he sigh'd and groan'd much in his sleep. And when he awoke, one *Campbel* and *John Johnston*, who attended him, ask'd him the reason; to which he answered; "In my time I have been often
Knox's life. "assaulted by Sathan, and oft he hath cast my sins in
"my teeth, to bring me into despair, but God gave me
"grace to overcome all his temptations. And now
"that subtle serpent, who never ceaseth to tempt,
"hath taken another course, he seeks to persuade me
"that my labours in my ministry, and the fidelity I
"have shewn in that service have merited heaven and
"immortality. But blessed be God who brought to my
"mind these scriptures: *what hast thou that thou hast*
"not received? And not I but the grace of God in me.
"With which he hath gone away ashamed, and shall
"no more return. And now I am sure my battle is at
"an end, and that, without pain of body or trouble
"of spirit, I shall shortly change this mortal life for
"that happy and immortal life." After prayer, he
was asked whether he had heard it? He replied, "would
"God that ye had heard it, with such an ear and heart
"as I have." Then he said "Lord Jesus receive my spirit."
After which he spoke no more, but without any motion
resign'd his soul into the hands of his God and father.
Thus the church was deprived of a burning and a shining light.

As against Presbytery. The above-mention'd innovations were so disagreeable, that they were condemned by several after Assemblies: and particularly it was agreed by the General assembly in *October* 1578, that all Bishops already elected shall be required particularly to submit themselves to the

General Assembly, and if they refuse, after admonition, the censure of excommunication to be pass'd upon them. And in the year 1580, the Assembly unanimously ordain'd that all, who were call'd Bishops, should † demit *simpliciter*, because that office had no warrant in the word of God, and at the same time ordain'd provincial Synods to call before them such Bishops as lived in their bounds, and ordered them to give obedience to this act; and upon this Presbyteries began to be soon established in the Kingdom.

On the 28th of *January* 1581, the *confession of faith*, National or NATIONAL COVENANT, was subscrib'd by the King and his household, together with a great many others, and afterwards it was subscribed by all ranks of people in the land. In this confession, under the name of *Hierarchy*, is condemned *Episcopal* government; so that one might think, that *Presbyterial* church government was now established upon sure and lasting foundations. But the King had no relish for the *Presbyterian* establishment, and had those about him who increased his prejudices. In short, he was in the hands of the Duke of *Lenox*, and Earl of *Arran*, and others who were disagreeable to the rest of the nobility.

Wherefore on the 20th of *August* 1582, happened the famous *rode* of *Ruthwen*, when the Earl of *Marr*, *Gourie*, the master of *Oliphant*, young *Lockhart*, &c. came to *Perth*, after the King had returned from a hunting-match in *Atbol*, and conveyed him to *Ruthwen-castle*. At the same time they presented a declaration, signifying the reasons of their conduct, and then carried him to *Stirling*, where they gave him the full liberty of his person and government, only taking the administration out of the hands of *Lenox* and *Arran*. The King, however, never forgave this attempt, and resented it against the kirk, as if they had been the chief instruments concerned. However, he complied with the terms, and published a proclamation for restoring the liberties of the kirk, the freedom of their assemblies and judicatures. The Assembly sat down in *October*, and recognized the

† Absolutely to resign.

reformation, erected presbyteries in the north of *Scotland*, impowering them to *summon the Bishops* before them. And thus that hateful weed *Prelacy* was bore down, and the church had a little sun-shine. But the King secretly hated them, and, notwithstanding all his subscriptions and proclamations, was determined to run them down.

*Liberties
of the
church
invented.*

Accordingly, in *May 1584*, his Majesty got a Parliament which discharged all church-judicatories, gave the King power over all causes *ecclesiastical* as well as civil, discharged all declining of the King and Council in any matter under pain of treason, and likewise all Ministers to meddle, in their sermons, with the affairs of his Highness or the estate. But in this Parliament, matters were so ordered underhand by the court, that it seemed rather a private council than a Parliament; the Ministers had no access to be heard; and such as protested against their illegal proceedings, as *Mr. James Lowson*, *Mr. Walter Balcanquel* were forced to flee into *England*, to escape the fury of the prevailing party. *Mr. Andrew Melvil* was likewise obliged to make his escape. Upon this Bishops were appointed, and immediately exercised their tyranny and rage against the rest of the Ministers, obliging them to promise obedience to them as their ordinaries, upon pain of banishment, confinement, &c. so that many were forced to retire, and none durst so much as pray for those Ministers who fled, under the pain of treason. From this the author of the *memoirs* of the church of *Scotland* justly observes, that *no sooner was Episcopacy, upon any occasion, set up in Scotland, but it began always to persecute the Presbyterian church.*

P. 104.

The Parliament sat again the 24th of *August*, and enjoined all Ministers and other ecclesiastical persons to appear within forty days, and subscribe the *new constitution of the church*, as it was called, and submit to their *Dioceſan*, on pain of losing their stipends. This brought no small trouble upon those who refused; for many went into a voluntary banishment.

However, it was not long before matters took another turn. *Episcopacy* was not able to support itself, so that

that Assemblies and provincial Synods were restored, and the King again professed a singular regard for the *presbyterial* establishment. In short, matters were carried on with so much success, that,

In the year 1590, the NATIONAL COVENANT was again subscribed by all sorts of persons. The General assembly met at *Edinburgh* on the 4th of *August*, and then the King and the church seemed perfectly reconciled; for at the eighth session, his Majesty came in person, and being seated in a chair of state, the Moderator, Mr. *Patrick Galloway*, proposed to him these three things, viz. *The ratification of the liberties of the kirk; the purging of the land of Jesuits, seminary priests, &c. and the providing stipends or salaries in every parish for the Ministers.* To the first the King answered, That in all Parliaments the liberties of the kirk were first ratified; that they knew his good-will to purge the land of Jesuits; and for the third he referred them to the Council, and desired that Masters *Bruce, Lindsey, Pont,* and the Moderator might be sent as Commissioners to treat on the subject. In a word, to please the Assembly, he stood up, and taking off his bonnet, with his eyes and hands lifted up to heaven, said, “ That he

National Covenant again subscribed.

Calderwood.

King's speech to Assembly.

“ praised God, that he was born in the time of the light of the gospel, and in such a place as to be King of such a kirk, the sincerest kirk in the world. “ The kirk of *Geneva* keeps * *Pasch* and *Yule*. What have they for them? They have no institution. As for our neighbour kirk in *England*, their service is an evil said mass in *English*, they want nothing of the mass but the *listings*. I charge you, my good people, Ministers, Doctors, Elders, Nobles, Gentlemen and Barons, to stand to your purity, and to exhort the people to do the same, and I forsooth, so long as I brook my life and crown, shall do the same.” Thus the King flattered the Assembly; and they were so moved with this unexpected declaration, that, for a quarter of an hour, there was nothing heard but praising God, and praying for the King.

* Christmas and Easter.

*The church
flourishes.*

While his Majesty continued in this mood, all things went on easy, the church flourished, her judicatories were acknowledged, and her *prelatical* enemies fell before her. On the 21st of *May* 1592, the Assembly met and agreed to present the following articles to the King.

1. That the acts of Parliament made 1584, against the authority, discipline and government of the church be reversed, and the present government established.
2. That the act of annexation be abolished, and the patrimony of the church restored.
3. That *Abbots, Priors* and other *Prelates*, have no more liberty to vote in Parliament. And,
4. That the country, which is fearfully polluted with *idolatry* and *blood*, be purged.

*A faithful
admonition. Cal-
derwood,
p. 268.*

The Assembly directed their brethren and others, who were appointed to present these articles, to go immediately to his Majesty and admonish him gravely, in the name of the eternal God, to have respect in time to the state of true religion, to the many murders and oppressions daily multiplied thro' impunity and lack of justice, and to discharge the kingly office in both, as he will eschew the fearful challenge of God, and avert his wrath off himself and the whole land; and that he might be the better informed, to lay down the particulars to him, and to crave his answer. The King did not much relish this faithful warning. However,

The Parliament sat down on the 29th of *May*, and ratified the privileges and government of the church, and particularly of their *General Assemblies, Synods* and *Presbyteries*, and reversed the act 1584, granting commissions to Bishops and other judges constituted in ecclesiastical causes, &c. The Ministers improved these advantages, and their judicatories exerted themselves to the utmost, to suppress *popery* and *profaneness*. And the better to gain this great and important point,

*Plain
dealing.
Ibid. p.
289.*

The Provincial Synod of *Fife* met 1593, and gave it as their opinion, that commissioners repair to the King,

“ To tell plainly to his Majesty, that which all his true
“ subjects think touching his too much bearing with,
“ favouring and countenancing of *papistical* teachers,
“ his negligence in suppressing of idolatry, and establish-
“ ing the kingdom of Christ within the realm; and to
“ declare

“ declare freely to his Majesty the resolution of all his
 “ godly and faithful subjects, *viz.* That they are ready
 “ to give their lives rather than to suffer the same.”
 Accordingly, Mr. *Melvil* and others were appointed.
 The Synod next proceeded to excommunicate the *popish*
 Lords, without regard to the countenance they received
 from his Majesty.

This plain dealing and brave proceedings could not but *Not resist-*
 excite the church's enemies to contrive methods for *ed.*
 her overthrow. The *Papists*, on the one hand, plainly
 perceived, that they could have no quiet settlement in
Scotland, unless the *authority* of the church was broken.
 The King, not relishing these things, soon acted a part
 inconsistent with all his former promises and protestations ;
 and profane politicians and courtiers, not being able to
 bear the strictness of the discipline established, prevailed
 with the King to oppose it, and at last to overthrow it.

The Assembly 1596, solemnly renewed the NATIONAL COVENANT, and made a faithful representation
 to the King of the sins of his person and family. But
 when this Assembly was over, the church had never
 another like it during this King's reign ; for ever after
 this the King encroached upon their liberties, and, about
 the end of this year, a BOND was devised, to be sub-
 scribed by all the Ministers of *Scotland*, on pain of losing
 their stipends, in which they were to *acknowledge the*
King, as their sovereign judge in all causes of sedition and
treason, — and of all their speeches, which may import
the said crimes, though uttered in the pulpit or any other
place. This the faithful Ministers would by no means
 subscribe ; because when they subscribed the confession of
 faith and *National Covenant*, they there acknowledged
 his Majesty's lawful authority, and because they per-
 ceived, that it was devised on purpose for a snare, and
 their subscription would be a virtual acknowledging of
 the King, as supreme and only judge of Ministers in *all*
causes. Thus early did the church of *Scotland* testify
 against the *ecclesiastical SUPREMACY !*

The
BOND.

On the 27th of *December*, a proclamation was pub-
 lished at the cross of *Edinburgh*, requiring all Magistrates,
 Barons and Gentlemen of power, to interrupt Ministers,
 if

Proclama-
tion against
Ministers.
Ca der-
wood,
if

if they should utter any speeches tending to sedition from their pulpits, in reproach, contempt or disdain of the King, his parents or progenitors, his council and their proceedings, to put them in sure firmance, *i. e.* in fast hold, till the King and council were advertised to take further order, or at least to hinder them from preaching within their bounds or jurisdiction. These were great encroachments. The most of the Ministers refused the *Bond* with abhorrence.

*Convention
at
Perth.*

After this, the King called a *Convention* of Ministers to meet at *Perth* the 28th of *February* 1597. Ministers came from the north in unusual numbers, and the members of this meeting were generally nominated by the King: And therefore the honest part of the Ministers denied this to be a *lawful* Assembly, and protested against it, and against whatever should be transacted in it. Eight Presbyteries entirely opposed it, but eleven, on the other hand, approved of it under the name of *extraordinary*. And as the members of this meeting were such as generally subscribed the *Bond*, they gave in to his Majesty's measures.

*Ordinary
assembly,
ibid. 402.*

The *lawful* Assembly had been appointed to meet at *St. Andrews*, whither Mr. *Robert Pont* the Moderator of the last Assembly went on the 27th of *April*. Tho' the number of Commissioners was but small, yet they met in form, constituted themselves regularly; and having begun the Assembly with prayer, as usual, and with the confession of sins, which had caused the present sad alteration of affairs, they *protested* for the liberty of the church, and referred all other affairs to the next meeting.

*Assembly
at Dun-
dee. ibid.*

Mean while, the KING appointed another Assembly of his own model to meet at *Dundee* in the month of *May*. The King's design, at this Assembly, was to get the *popish* Lords, who had been excommunicated, absolved, and the Assembly at *Perth* acknowledged. By this time, one way or other, he got several of the poorer sort of the Ministers to come in to his measures, some complying for preferment, and others for honour and profit; and thus a rent was made in the church, which grew wider and wider every day. Accordingly this

Assembly

Assembly complied with his Majesty's measures; they absolved the Lords, ratified the *Perth* Assembly, ordained that there be no meeting of Ministers without his Majesty's consent; and indeed all *ecclesiastical* matters, which were to be treated in General Assemblies, were, from henceforward, first proposed and determined by the King.

At the King's desire this Assembly chose fourteen of *Act for Ministers to vote in parliament* their number, authorising them, or any seven of them, to advise with his Majesty, about a method for settling the stipends of ministers, to present petitions and grievances of the church, &c. However plausible the pretences were for this commission, yet the event shewed what was the real design; for soon after they gave in a *petition* to the Parliament then sitting, in the name of the church (tho' falsely, for the *main body* of the church abhorred the thought of such a thing) that *Ministers*, as representing the church, the third estate of the kingdom, might have liberty to *sit and vote in Parliament*. The estates in Parliament assembled, judging, that there *Ibid. 412.* was no inconveniency in complying, being of opinion, that no honest Minister would assume any *prelatical* title, past the same into a law, and ordained, that *such Pastors and Ministers, as at any time his Majesty shall please to provide to the office, place, title and dignity of a Bishop, Abbot, or other Prelate, shall at any time hereafter have vote in Parliament, as much as ever any ecclesiastical person had in times past, &c.* And this was approved by the royal Assembly, which met at *Dundee* in the following *March*. At this Assembly the King would suffer nothing to be done till Mr. *Andrew Melvil* was removed. Nay, this Mr. *Melvil*, together with Mr. *John Johnston* Professor of Divinity in *St. Andrews*, were charged to depart out of the town under pain of * horning. When the act of approbation passed by a small majority, after many threatnings to some, and promises to others, then Mr. *John Davidson* entered a solemn protest in his own name, and in the name of all the Ministers of *Scotland*, who adhered to him, against that and the two preceeding

* A kind of outlawry.

Assemblies, as void and null. It is certain, their acts were afterward reversed by the Parliament and Assembly.

Limitations.
Apologet. relation.
p. 30.

In short there were several meetings, as one at *Falkland* the 29th of *July* 1598, where were some debates upon this affair, and some cautions limiting these *parliamentary* Ministers to propose nothing in Parliament without express warrant from the church, to be accountable to the General Assembly, and subject to their Presbytery and Synod, and every way to behave as other Ministers; and to all these, and other necessary points, they were bound to swear and subscribe. But all this was artifice, the better to bring in *Episcopacy* by art and flattery, and by degrees; for, even *Spotswood* says, *It was neither the King's intention, nor the minds of the wiser sort, to have these cautions stand in force, but to have matters peaceably ended, and the reformation of the policy made [i. e. Episcopacy established] without any noise.* From hence it is plain, that *Prelacy* was established in *Scotland*, on the foundation of royal flattery and dissimulation, and of open and avowed perjury.

Hist. p.
453.

King's letter to the Pope.

In *July* 1599, *Monsieur Bethune* arrived Embassador from the Most Christian King, for renewing the antient league between *France* and *Scotland*; and in *September* following, the King wrote a flattering letter to the *Pope*, at the instigation of Secretary *Elphinston*, entreating him to promote the Bishop of *Vaizon* a *Scotsman*, to the dignity of a Cardinal, that by his means there might be a correspondence between the King and the court of *Rome*. In this letter his Majesty stils the *Pope*, *beatissime Pater, Pontifex maximus, &c.* The King afterwards pretended, that another person wrote this letter, and that he signed it in haste, in a crowd of other papers which were to pass the sign-manual. The curious reader may see the letter itself in *Calderwood's* history, p. 427, since I have not room to insert it here.

Conference at Holyrood house.

On the 17th of *November* following, began the famous conference at *Holyrood-house*, to which sundry Ministers were summoned, but the King took care to secure a majority of his own party. For formality's sake those things were debated and resolved, which his Majesty had resolved before without debating. The ques-

tions

tions were not, if the giving Ministers *votes in Parliament* should be confirmed ; that was past already : But how many they should be, who should choose, and what title they should bear. In a word, their number and choice was left to the King, and it was proposed, that they should have the title of *Bishops* : and thus a foundation was laid for the bringing in of *Prelacy*.

On the 19th of *November* 1601, the Queen was delivered of a Prince, afterwards King CHARLES I. *K. Char. I. born.* Matters continued much in the same situation, during the time the King continued in *Scotland* : the Assemblies were abridged of their liberty, the parliamentary Ministers were appointed. But,

About the end of *March* 1603, an express arrived from *England*, with the news of the death of Queen ELIZABETH, and with letters of recognition from the Privy Council there ; upon which JAMES was congratulated by the Lords, &c. and proclaimed King of *England, France and Ireland*. *The King ascends the throne of England.*

On the 3d of *April*, he made a speech in the great church of *Edinburgh* ; wherein, among other things, he said, “ As God hath promoted me to a greater power than I had, so I must endeavour to establish religion, and to take away corruption in both countries. Ye need not doubt, but, as I have a body as able as any King in *Europe*, whereby I am able to travail, so I shall visit you every three years at least, or oftner, as I shall have occasion (for so have I written in my book directed to my son, and it were a shame to me not to perform that which I have written) that I may, with my own mouth, take account of the execution of justice of them that are under me ; and that ye yourselves may see and hear me, and, from the meanest to the greatest, have access to my person, and pour out your complaints in my bosom, this shall ever be my course.” *His speech. Calderwood, p. 472.*

These were fair promises, but not one word of them was performed ; for no sooner did he become a King of an *episcopal* church, but, as was always natural to the spirit of *Prelacy* in *Scotland*, he became a persecutor

of that very church, which, in the most solemn manner, he had declared to be the *sincerest* or *purest* church upon earth.

Bishops restored by Parliament.
Apol. rest. lat. p. 34. In the month of *July* 1606, the Parliament met at *Perth*, and acknowledged his Majesty's sovereign authority, princely power, royal prerogative and privilege of the crown, over all estates, persons and causes, and restored the *Bishops* to the antient and accustomed honour, privileges, livings, lands, &c. and repealed the act of annexation; by which they were restored to their votes in Parliament, and had the title of Lords of Parliament. But though they were thus advanced to civil dignities, yet no ecclesiastical jurisdiction was given them. The Commissioners from the several Presbyteries through *Scotland* being met at *Edinburgh*, gave in a most excellent *protestation* against this, in the name of the church in general, and in name of their Presbyteries from whom they had commission. This was subscribed by a great many Ministers, and among others by Mr. *Adam Bannantine*, Mr. *John Abernethy*, and Mr. *William Couper*, who afterwards became Bishops themselves.

Constant Moderators. ibid. p. 35.

When Prelates were thus advanced to their civil dignities, methods were next fallen upon to advance them to spiritual power. Accordingly, on the 10th of *December* this same year, an Assembly was called to meet at *Linlithgow*; but then, only some Presbyteries in whom the King most confided, had notice of it; nay, matters were so secretly managed, that the Moderator of the last Assembly knew nothing of the matter. Here it was agreed, that there should be *constant Moderators* in Presbyteries chosen, and, that where the Bishops resided, they should moderate both in Synods and Presbyteries. When this act came down refined from court, about half a year afterwards, all Synods and Presbyteries were charged, under pain of rebellion, to admit the constant Moderators.

Conflict of the Synod of Perth.
Calderswood p. 565, &c. But this was so disagreeable to the church of *Scotland*, that not one of the provincial Synods accepted the constant Moderator, but the Synod of *Angus*, and even there it met with no small opposition. But the Synod of *Perth* remarkably distinguished themselves on this occasion,

occasion, at their meeting in *April 1607*. Lord *Scoon* came with a commission from the King, and threatned them in his Majesty's name, if they refused to admit a constant Moderator. But notwithstanding all threatnings and unjustifiable insults, Mr. *Row* their last Moderator took the catalogue of the Synod in his own hand, and when *Scoon* would have pulled it out, Mr. *Row* kept his hold, and called all the names of the members, who chose Mr. *Henry Livingston* for their Moderator. He beginning with prayer, according to the custom of the Judicatories at that time, *Scoon* profanely interrupted him, and threw down the table, but he still continued. In short, when they returned to the next meeting, the church-doors were shut against them, so that they were obliged to meet at the south church-door, and agreed, that every Presbytery at their first meeting after the Synod, should chuse their own Moderator.

In the month of *February 1610*, a commission given *High com. mission courts* under the great seal to the two Archbishops, together with several Noblemen and Gentlemen, to hold two *courts of high commission*, was proclaimed at the cross of *Edinburgh*; by virtue of which the Archbishops, &c. obtained power to excommunicate, imprison, fine and confine for causes ecclesiastic, whether in doctrine or manners, whether in Noblemen, Ministers or common people; and there was scarce any kind of injustice or oppression, that was not practised in consequence of this.

But that the Bishops might have the sanction of a *Glasgöw General Assembly*, one of the King's appointment was held at *Glasgow* in *June*. All the constant Moderators, who had their hundred pounds a year, resorted to this pretended Assembly. The Earl of *Dumbar* was sent thither with a strong guard to intimidate the Ministers; so that several, who were coming from the West to protest, were forced to return back. There was likewise money brought to hire votes. At this corrupt meeting it was, among other things, agreed, that the calling of Assemblies belonged to the King, that every Minister, at his admission, shall swear obedience to his ordinary, that Synods should be moderated by *Prelates*, that no

Minister shall preach or write against the acts of this Assembly, and that the question about the parity or imparity of Ministers shall not be mentioned in the pulpit, upon pain of deprivation, &c. But though these were great incroachments, yet there was not a word at this meeting concerning the *consecration* of Bishops.

*Bishops
consecrat-
ed.*

However, it was judged necessary, that the Bishops elect should be consecrated by some of the *same* order ; for this purpose, the King sent for three of them into *England*, viz. Mr. *Spotswood*, Archbishop of *Glasgow*, Mr. *Lamb*, Bishop of *Brechen*, and Mr. *Hamilton*, Bishop of *Galloway*, and issued a commission under the great seal to the Bishops of *London*, *Ely*, *Bath* and *Wells*, and *Rocheſter*, requiring them to proceed to the consecration of the above-mentioned Bishops according to the *English* Ordinal : they were accordingly consecrated in the chapel at *London-house*, October 21, 1610. In the month of *December* the three consecrated Bishops returned to *Scotland*, and consecrated Mr. *George Gladstones*, Archbishop of *St. Andrews*, and in *January* and *February* 1611, the rest of the Bishops were consecrated, some at *St. Andrews*, and some at *Leith*.

Page 10.

Thus the original constitution of the church of *Scotland* was overturned by an usurped authority, and other violent and indirect means, and contrary to the inclinations of the people, and the repeated protestations of the Assembly. Bishop *Burnet* (tho' an adversary) in the history of his own times, acknowledges, that great opposition was made to all these steps ; and adds, that the whole force of the government was strained to carry elections to those meetings, or to take off those who were chosen, in which it was thought that no sort of practice was omitted.

*Oath of
supremacy.*

In the year 1612, a Parliament met, and inserted, in their registers, the oath which every minister was to swear at his admission, by which they declared that the King was the supreme Governor in *all causes ecclesiastical*, as well as civil, and that they held their churches of his Majesty and the crown royal of the realm. They were also to swear obedience to the Bishop of the Diocese. Thus were matters carried on with a high hand in fa-

vour

your of *Prelacy*, contrary to the general sense both of Ministers and people.

On the 4th of *March* 1614, the Ministers were com- *Sacrament*
manded, by proclamation, at the cross of *Edinburgh*, at Easter.
to prepare the people for the Lord's-supper, and to
administer it to them upon *Easter-day* the 24th of *April*.
The people were likewise charged to communicate on
that day, at their own parish churches. This was a
proclamation contrary to several acts of Assembly.

In the year 1617 the King made a progress to *Scot-* *The King's*
land, still further to advance the cause of *Prelacy* there. *progress to*
The chapel at *Holyrood-house* was adorned after the man- *Scotland.*
ner of that at *Whitehall*, pictures being carried from
London with the statues of the twelve Apostles and four
Evangelists, curiously wrought in timber, in order to be
gilded and set up. But the people murmuring, the
Bishops dissuaded the King from setting them up. His
Majesty made his publick entry into *Edinburgh* on the
16th of *May*, and next day the *English service*, singing
of quiristers, playing on organs, and surplices were first
heard and seen in the chapel-royal. And the sacrament
of the Lord's-supper was administered on *Whitsunday*
after the *English* form. But still greater alterations must
be made; for when the Parliament meet, it was pro-
posed that *whatsoever his Majesty should determine in the*
external government of the Church, with the advice of the
Archbishops, Bishops, and a competent number of the Mi-
nistry, should have the strength of a law. About fifty-five
ministers entered a humble and respectful protest against
this, for which several of them suffered exceedingly; they
were summoned before the High Commission, deprived,
confined, imprisoned, as Mr. *Archibald Simpson*, Mr.
David Calderwood, and Mr. *Peter Hewet*. Mr. *Calder-*
wood was ordered to depart the kingdom. So that the
Bishops being once got in, the King and they were re-
solved to carry matters as far as possible. Accord-
ingly

On the 25th of *August* 1618, a meeting was called *Five ar-*
at *Perth*, to which his Majesty sent seven noblemen, *ticles of*
fifteen barons and gentlemen. Here the honest party *Perth.*
was bore down. *Spotswood*, who took upon him to
moderate,

moderate, told them, that he would send the names of all who refused to the King. He asked the votes of many who had no commission, and so these five articles, viz. 1. *Kneeling at the holy sacrament.* 2. *Private communion.* 3. *Private baptism.* 4. *Confirmation of children;* and 5. *The observation of holydays,* had the approbation of all, except one nobleman, one doctor, and forty-five Ministers. All these unscriptural innovations *Spotswood* got ratified in the High Commission.

Ratified by
parlia-
ment.

Calder-
wood.

But these not being sufficient to establish the articles into a law, it was resolved to use all the interest of the court, to carry them through the Parliament, which was not, however, attempted till the year 1621, and then they were ratified on the 4th of *August*, notwithstanding all the protestations that had been made by several faithful Ministers. But the methods used were contrary to the ordinary freedom of Parliament. Care was taken that none of the Ministers should get into the house to protest, for they knew that they had a protestation ready to deliver. And in the Parliament itself they met with great opposition. The Lords *Rothes, Menteith, Eglington, Linlithgow, Kintail, Gray, Ross, Yester, Cathcart, Couper, Burlie, Balmerinoch, Elphinstoun, Torphichen,* and *Forbes*, all publicly voted against it. However, the act passed, and the articles were thereby ratified. But, it is remarked, that when the King's Commissioner rose to touch this act with the scepter, there came in at the window a great flash of lightning; after that a second, and a third. Then there succeeded an extraordinary darkness to the astonishment of all in the house. The lightnings were followed by three loud claps of thunder, which several thought were the firing of the castle guns. Then there was a surprising shower of hail, succeeded by such rain, as made the streets run like rivers, so that the parliament was obliged to stay within doors for an hour and an half, and afterwards to go home without their robes.

Persecuti-
on upon
this.

The *Prelates* having now all power in their hands, tyrannized over all ranks, in such a manner, that the inhabitants were more afraid of disobliging them than his

his Majesty ; for they banished out of the kingdom what gentlemen they pleased, imprisoned what magistrates they had a mind, upon any slight pretence, such as their hearing their own old ministers. The prisons were filled with deprived ministers, and the remote parts with the banished. And thus far King JAMES went in establishing *Prelacy*, and thereby shewed his gratitude to those, by whom his life was preserved in his infancy, and by whose means he obtained the crown ; and what a regard he had for the *national covenant*, and for that which he called the *purest church* upon earth. But I leave the reader to his own reflections. He died not without suspicion of poison 27 March 1625. It is certain, says Bishop Burnet, no King died less lamented or less esteemed than he was. This sunk the credit of the Bishops of *Scotland* ; who, as they were his creatures, so they were obliged to a great dependance on him, and even thought guilty of gross and abject flattery towards him.

The King dies.
P. 17.

His successor CHARLES I. was no less zealous than his father for *Prelacy*, but being left embarrassed in a war with *Spain*, and afterwards entering into another rashly with *France*, he had not leisure to pursue his designs upon the church of *Scotland* for some years. But at last he carried things in so arbitrary a manner, both there and in *England*, that he never desisted till he tumbled headless from the throne.

Char. I.
succeeds.

Though, about the end of the last reign, the persecution was hot against some eminent ministers ; yet many, by the special providence of God, had a peaceable residence at their several pastoral charges. Some of them were protected by persons of considerable distinction, and not a few of the first rank in *Scotland* distinguished themselves by a concern for the purity of gospel-ordinances, and a remarkable success attended the ministry of those who had not conformed to *Prelacy*. Solemn fasts were likewise observed through the land, on account of the dismal and deplorable state of the church of *Scotland*, and for a revival of the Lord's work in that nation : and God was pleased to give a gracious return to their prayers, as we shall relate.

In

His progress to Scotland.

His coronation.

Hist. of the Stuarts,
p. 117.

In the year 1633, the King made a progress to *Scotland*, attended by *Laud* Bishop of *London*, together with the Earls of *Arundel*, *Northumberland*, *Holland*, *Pembroke*, *Southampton*, and other Lords, where he was crowned on the 18th of *June* by *Spotswood*, Archbishop of *St. Andrews*, assisted by the Bishops of *Ross* and *Murray*. One *Larrey* speaking of the King's coronation, says, "The Archbishop of *Glasgow* ought to have been on the right of the Archbishop of *St. Andrews*; but *Laud*, who had the direction of the ceremony, seeing he was not in his *pontifical robes*, as the others were, being a person who abhorred pomp, had the boldness to pull him forcibly from his place, and to substitute the Bishop of *Ross* in his stead. To this outrageous insult, *Laud* added words that were not less insulting, *Are you a Churchman, and dare you appear here without a habit suitable to the episcopal dignity and the solemnity of this day?* The *Scots* saw, by this action, what was to be expected from such a man, who was zealous for *Episcopacy*, even to superstition; but they knew him much better soon after."

His usage of the parliament.
Rapin.

On the 20th of *June* the Parliament met and gave his Majesty the largest subsidy that had ever been granted to any King of *Scotland* before him. After which he proposed two acts relating to religion, the one concerning his royal prerogative and the *apparel of Church-men*, and the other for ratifying the former acts touching religion. These were the only acts that met with any opposition, on account of the consequences, which some feared the King would afterwards draw from them. Some of the members of this Parliament suspected the King would make use of this act to introduce the *Surplice*. And being asked whether he intended it, he made no answer, but taking a list out of his pocket, said, *Gentlemen, I have all your names here, and I'll know who will do me service and who not this day.* However, it was carried in the negative, thirteen Lords and the majority of the Commons voting against it. The Lords said, they agreed to the act so far as it related to his Majesty's prerogative, but dissented from that part

Neal.
Vol. 2.
p. 259.

of it which referred to the *apparel of churchmen*, fearing lest under that cover the *surplice* might be introduced. But his Majesty said, he would have no distinction, but commanded them to say *yes* or *no* to the whole bill. The King marked every man's vote, and upon casting them up, the Clerk declared it was carried in the affirmative, which some of the members denying, his Majesty said, the Clerk's declaration should stand, unless any of them would go to the bar, and accuse him of falsifying the record of Parliament, at the peril of his life. This method of proceeding justly disgusted all ranks of people, especially as the King would not look upon the dissenting Lords, nor suffer them to kiss his hand.

When the King left *Scotland*, he erected a new Bishoprick at *Edinburgh*, and about two months after, *Laud* being advanced to the Archbishoprick of *Canterbury*, framed articles for the reformation of his Majesty's royal chapel in that city, which were sent to *Scotland*, with a declaration under the King's own hand, that they were intended as a pattern for all cathedrals, chapels and parish churches in that kingdom. The *Liturgy* was to be read in the choir, the Sacrament to be received kneeling, the Dean to appear in his *whites*, &c. Matters surely were come to a fine pass, when such innovations were made by an *English* Prelate, without the consent either of the Parliament or General Assembly. The faithful Ministers of *Scotland* had just reason to preach against the *English* hierarchy, and to warn the people against surrendring up their liberties into the hands of a neighbouring nation. But things were ripening for the overthrow of *Prelacy*.

Bishop *Burnet* says, that though the Bishops were cherished by the King with all imaginable expressions of kindness and confidence, yet they lost all their esteem with the people, and that on divers accounts; for he shews, that they were charged (and I believe not without ground, with *Popery*) *Arminianism* and *breach of Sabbath*. Neither, says he, stood they in better terms with the Nobility, who were at that time as considerable as ever *Scotland* saw them. They were offended, because the Bishops seemed to have more interest with the

Laud's regulations of the royal chapel.
Ibid. 241.

Prejudices against the Bishops.
Mem. of the Duke of Hamilton. p. 29.

King than themselves. *Spotswood* Archbishop of *St. Andrews* was made Chancellor, and *Maxwell* Bishop of *Ross* was fair for the treasury. They were no less hateful to the ministry, because of their pride, which was cried out upon as insupportable; so that the reader cannot be surpris'd at the nation's being roused, and at the methods, which were afterwards taken, to throw off the dismal yoke of *Prelacy*.

*Book of
Canons.
Neal. v. 2.
p. 277.*

When the King was in *Scotland*, it was reckoned a blemish in the church, that it had no *Liturgy* nor *Book of Canons*. To supply this defect, the King ordered the Bishops, to prepare draughts of both, and remit them to *London* to be revised by the Bishops *Laud*, *Juxon* and *Wren*. The *Book of Canons* being first finished, was presented to the King, and by him delivered to *Laud* and *Juxon* to be examined, altered and reformed at pleasure, and to bring it as near as possible to the *English* Canons. The Bishops having executed their commission, and prepared it for the press, the King confirmed it by letters patents under the great seal, dated at *Greenwich*, May the 23d 1635. These Canons were subversive of the whole constitution of the church of *Scotland*; for the first Canon excommunicates all who affirm, the power and prerogative of the King not to be equal with the *Jewish* Kings, that is, *absolute and unlimited*. The second excommunicates those who shall affirm, that the worship contained in the *Book of Common Prayer* [which was not yet published] or the government of the church by *Archbishops*, *Bishops*, &c. to be corrupt, superstitious, or unlawful.——The book further decrees, that no Assembly of the clergy shall be called but by the King; that none shall receive the Sacrament but on their knees. After sundry other canons of this nature, as appointing fonts for baptism, church ornaments, communion-tables or altars, &c. the book appoints, that no persons shall be admitted to holy orders, or to preach, or administer the Sacraments, without first subscribing the foresaid canons. These things could never go down with the people of *Scotland*. Nothing could be a greater evidence of infatuation, than to think, that they would submit to canons dictated for them

them by a few *foreign* Bishops, without so much as asking their advice or consent. These proceedings, and such an unprecedented stretch of the prerogative, and to them hateful *Supremacy*, could not but enflame them.

But to crown all, the King was resolved to have a publick *Liturgy* or *Book of Common Prayer* used in *Scotland*. This his father could never accomplish, and his son soon found it impracticable. It was, however, appointed to be read on *Easter-day* 1637, against which time all parishes were to be provided with two books at least. It was first set up in the chapel royal at *Holyrood-house*, but the more the people saw the service performed, the more hateful and abominable it appeared to them.

Book of Common Prayer.

Tumult in the great church. Mem. of church of Scotland. P. 178, &c.

Burnet's Mem. of D. of Hamilton. P. 31, 32.

Neal. p.

On the 23d of *July*, there was a great concourse of people in the great church at *Edinburgh*, and when the hour of service was come, the Dean in his surplice came out of the vestry, the people gazing as at a great show, passed through the crowd to the reading desk, and began the service, the people still continuing quiet; but on a sudden, at some words that disgusted her, an old woman started up and said, *VILLAIN, dost thou say the mass at my * lug?* And taking up a little stool, on which she sat, she threw it at the desk. Some, that sat next her, followed her example, till the whole church was in an uproar, and the Dean obliged to leave the desk and pull off the *surplice*, for fear of being tore in pieces. The Bishop of *Edinburgh* being present, went into the pulpit and beckened for silence, but all to no purpose: both Bishop and Dean were obliged to give over, and retire to the vestry for their safety. As the Lords of Council complained to the King of this disorder, so they spared not to lay the greatest blame of it upon the *Bishops*. After all inquiry, it did not at all appear that any above the meaner sort were accessary to this tumult: However, the Lords of Council thought proper to dispense with the service next Lord's day, till they should hear from his Majesty. But *Laud* dispatched their messenger with all expedition, telling them, *it*

was the King's firm resolution that they should go on with their work; and blaming them highly for suspending it.

Petitions.
Mem. of
ch. Scot-
land.
p. 181.

While the country people were engaged in their harvest, things went on pretty smooth; but when that was over, it was soon found that the generality of the nation was disgusted at these impositions: Accordingly, in the middle of *September*, a vast number of Gentlemen of rank, and others, presented a petition to the Council, requesting them, that the *Service-book* might be no further pressed upon them, till these things might be represented to the King, and his pleasure be further known. The Council not regarding this petition, but removing the session or term to *Linlithgow*, the citizens of *Edinburgh* were so enraged, that a vast mob arose and surrounded the Council-house, while the members were sitting, and demanded a more favourable answer to their petition, and that the *Service-book* might be laid aside, till the King was fully informed of the matter. Next day another petition was presented, signed by nineteen Noblemen, three hundred Gentlemen of note, and by the principal inhabitants of *Edinburgh*. But tho' this petition was sent to the King, yet, instead of returning a soft answer, he ordered a proclamation to be published from *Stirling*, to forbid all tumultuous meetings on pain of rebellion, &c.

And a pro-
testation.
Neal. p.
317.

Upon this, sundry Noblemen, Barons, Ministers and Burghers met together, and signed the following protest, “ 1. That it is the undoubted right of the subjects of *Scotland* to have immediate recourse to the King by petition. 2. That *Archbishops* and *Bishops* ought not to sit in any judicatory in this kingdom civil or ecclesiastical, till they have purged themselves of those crimes, which are ready to be proved against them. 3. That no proclamation of Council in presence of the *Archbishops* or *Bishops* shall be prejudicial to any of our proceedings. 4. That neither we, nor any that adhere to us, shall incur any damages for not observing the *Liturgy* or *Book of Canons*, as long as it is not *established* by General Assembly or Act of Parliament. 5. That if any inconvenience fall out

“ (which

“ (which God prevent) upon pressing the late innovations, we declare, the same is not to be imputed to us. 6. That all our proceedings in this affair, have no other tendency, but the preservation of the true reformed religion, and the laws and liberties of the kingdom.”

The Council, being apprehensive of danger from these large assemblies and combinations of people, agreed, that if they would return peaceably to their habitations, they might appoint some of their number of all ranks to represent the rest, till his Majesty's pleasure concerning their *protest* should be more fully known. Accordingly they erected four TABLES at *Edinburgh*, one of the Nobility, another of the Gentry, a third of the Burroughs, and a fourth of the Ministers. These prepared and digested matters for the *General TABLE* formed of Commissioners from the other four, where the final resolutions were taken.

*They erect
TABLES.
Neil. p.
318.*

These rightly judging, that the main procuring cause of all the calamities of the nation, was the violation of the NATIONAL COVENANT, unanimously resolved to renew the same; and accordingly they drew it up with some additions and confirmations out of the Acts of Parliament, and bound themselves “ to adhere unto, “ and defend the true religion, and (forbearing the “ practice of all novations already introduced in the “ worship of God, or approbation of the corruptions of “ the publick government of the kirk, or civil places “ and power of kirk-men, till they be tried and allowed “ in free Assemblies and Parliaments) to labour, by all “ means lawful, to recover the purity and liberty of the “ gospel, as it was established and professed before the “ foresaid innovations, and promise and swear to continue in the profession and obedience of the foresaid “ religion, to resist all contrary errors or corruptions, “ and that they had no intention to attempt any thing, “ that might tend to the dishonour of God, or to the “ diminution of the King's greatness and authority, “ and to defend themselves mutually in the same cause, “ &c.” This being drawn up, was subscribed by all present, and copies of it being sent to those who were absent,

*Renew the
National
Covenant
Apol. re-
lation. p.
47.*

Wilson's
defence. p.
 240, &c.

absent, and being read in the churches was heartily approved of, subscribed and sworn to, with tears and great joy, on the first of *March* 1638, in the Grey Friers church at *Edinburgh*. The flower of the nation was present: This solemn meeting consisted of the Nobility, of the Barons and Gentlemen from the several shires, of Burgeses from burghs, with Ministers and others. The town of *Aberdeen* was the only place of any note in the kingdom, that declined to join in the *Covenant*. Therefore the General meetings at *Edinburgh* sent Masters *Alex. Henderson*, *Dav. Dickson*, and *And. Cant* to that town; and, notwithstanding the opposition they met with from the Doctors and Ministers of the place, such was their success, that several of special note, chearfully put their hands to the *Covenant*, which was sworn by the generality of all ranks through the nation before the end of *April*.

Marq. of
 Hamilton
*Commis-
 sioner.*
 Ibid.

The King, being informed of all these proceedings, sent the Marquis of *Hamilton*, as his High Commissioner, to use his utmost to dissolve the TABLES, and get them to desist from the *Covenant*. The *Covenanters* (for so they were after this called) absolutely refused, and insisted upon a free Parliament and a General Assembly. The Marquis, finding he could make no impression on these faithful men, returned to Court: Mean while, the General Meeting agreed to publish a paper intituled, *Reasons for a General Assembly*, and came to a resolution, that if the King should refuse or delay to call a General Assembly, that *they* would fall upon the most proper measures themselves for convening a free national Assembly of the church of *Scotland*. The Marquis returned about the 12th of *August*, and proposed from the King the granting of an Assembly, but upon such conditions, as had an evident tendency, to frustrate the designs of these faithful contenders for the cause of Christ. The Marquis returned again to Court: But it was agreed, that if he did not come back by the 22d of *September*, they should proceed in the election of Commissioners for a General Assembly. The Marquis, according to his instructions, had made several

con-

concessions, such as, the revoking the Liturgy, the Canons, the High Commission, the five articles of *Perth*: But as the main thing was omitted, *viz.* the abolishing of *diocesan Episcopacy*, they justly rejected all propofals. He returned at the time appointed, and published a proclamation for an Assembly to meet at *Glasgow* the 21st of *November* 1638.

The Assembly met, consisting of 143 Ministers, together with Professors from the Universities, and 95 ruling Elders from the Presbyteries and Burghs. Forty eight Burghs were present by their Commissioners, so that there were only 47 Elders from the Presbyteries. The reverend Mr. *Henderson* Minister at *Leuchars* was chosen Moderator. The Earl, afterwards Marquis of *Argyle*, though he was a Member of the Privy-council, attended all the Sessions of this Assembly, in order to hear their debates and determinations concerning *diocesan Episcopacy*, and the five articles of *Perth*, and declared his full satisfaction with their decisions. It was here, that this noble Peer began to distinguish himself by a concern for the Redeemer's glory, and he continued stedfast unto the end, dying a Martyr for that cause which he now espoused; and at their 8th Session, several others of the Nobility expressed themselves after the same manner with the Earl of *Argyle*.

But the Marquis, seeing their resolution to carry on the Designs of the TABLES, thought fit to dissolve them in the King's name, after they had sat seven days. But, as they did not look upon themselves bound to regard this, so they continued to sit, till they had finished their business. In their protest against their dissolution, they say, *That it is unlawful itself, and prejudicial to the privileges that Christ has left his church, for the King to dissolve or break up the Assemblies of this kirk, or stay their proceedings; for then it would follow, that religion and church-government depended absolutely on the pleasure of the Prince, &c.* The Assembly, therefore, continued sitting, till they had passed the following Acts; An Act for disanulling all the Assemblies, by which *Prelacy* was countenanced and established, particularly those held in the years 1606, 1608, 1610, 1616,

1616, 1617, 1618. An Act for abjuring and abolishing *Episcopacy*; An Act for condemning the *five articles of Perth*, *Book of Canons*, *Book of Ordination* and the *High-Commission*; An Act for restoring *Presbyteries*, *provincial* and *national Assemblies*, and several others of the same nature. They likewise pronounced sentence of deposition against the *Bishops*, eight of whom were excommunicated, four excluded from the ministerial function, and two only allowed to officiate as Pastors or Presbyters. They then wrote to the King, complaining of his Majesty's Commissioner, who had declared them traitors, and praying that he would look upon them as his good and faithful Subjects.

The King goes against the Scots.

But the King, partly from his aversion to *Presbytery*, and partly from his consulting with none, but the declared enemies of the presbyterian church of *Scotland*, published his resolution on the 26th of *January* 1639, to go in person against the *Scots COVENANTERS* at the head of an army. They, on the other hand, hearing of the preparations which were making against them, provided as well as they could for their own necessary defence. The King went against them with an army: But matters were so managed, that his Majesty thought proper to yield to a *Pacification*, by which all differences were to be referred to a General Assembly, to be held *August* the 12th, and a Parliament to meet a fortnight after. Both armies were to be dismissed; however the *Scots*, knowing with whom they had to do, prudently kept their officers in pay, that they might be ready in case of necessity.

A Pacification.

Assembly and Parliament.

The Assembly met at *Edinburgh*, and the Earl of *Traquair* was Commissioner. They unanimously confirmed the Assembly at *Glasgow*, appointed the *COVENANT* to be taken throughout the kingdom, and, with one consent, determined, that *diocesan Episcopacy* was unlawful, all which the Commissioner assented to. The Parliament sat down on the 31st of *August*, but, things being managed contrary to the King's inclinations, it was prorogued to the 2d of *June* 1640.

War renewed.

Mean while the King resolved to renew the war, in order to force the *Scots* to a compliance with his designs.

signs. Both parties made preparations accordingly. The Scots were victorious at *Newburn* and took *Newcastle*. At last, the King finding it impossible to carry on the war, appointed Commissioners to treat with the Scots at *Rippon*, who agreed to a cessation of arms for two months, and the treaty to be adjourned to *London*, where a free Parliament was immediately to be called.

While these things were a doing, the Parliament of *Scotland* sat down on the 2d of *June*, which was the time to which it was adjourned, and in this Parliament all the acts of the Assembly 1639 were ratified, and all the former acts made in favour of *Prelacy* reversed. They also ratified the COVENANT, and ordered it to be inserted in their registers.

The King, not relishing the proceedings of the Parliament at *Westminster*, made another progress into *Scotland*, with a view, what ever was pretended, to break the confederacy that was then between the Scots and the *English* Parliament. He arrived at *Edinburgh* in *August*, and on the 19th the Parliament sat down, and there he approved of all their late proceedings, in opposing the *English* Liturgy, and erecting TABLES in defence of their liberties. He confirmed the acts of their Assemblies. And it was enacted, that every member of succeeding Parliaments shall take and subscribe the national Covenant, and give an oath in parliament relative thereunto. And thus Presbyterian government and discipline were re-established by King, Parliament and Assembly, and abjured *Prelacy* legally abrogated.

While CHARLES was at *Edinburgh*, it is said, that he sifted the Scots, to see whether he could prevail with them to invade *England*, to assist him to subvert the Parliament there to his will, and that he offered them the three northern counties for this Service. But the author of *The mystery of iniquity*, printed at *London* 1643, says, " That the King sent propositions to the Scots while at *Newcastle*, of joining with the *English* army against the Parliament, and that, for this service, he offered them three hundred thousand pounds to be paid down, the four northern counties and the plunder of *London*, the quitting of his revenues and customs

“toms in that kingdom, to their publick use, the King’s residence at *York*, for the better accommodation of both nations ; but that the *Scots* not only refused these offers, but likewise acquainted those, who were most intrusted with the affairs of the *English* Parliament, of their readiness rather to assist them in securing their just privileges, and in settling both nations in truth and peace.” Whatever be in these things, it is certain, his Majesty’s design, in this progress, was to gain over the *Scots*, that he might be at liberty to inflave the *English* Parliament. And therefore he complied with every thing, and at this time the Marquis of *Hamilton* was made a Duke, and the Earl of *Argyle* a Marquis. But the King no sooner returned to *England*, than he repented of all his concessions in *Scotland*.

Rise of
the solemn
league and
covenant.
Calamy.

During the civil war in *England*, the *English* Parliament called an ASSEMBLY of Divines to sit at *Westminster*, for consulting about religion and church-government, in order to carry on a work of reformation in that kingdom. These Divines were men of eminent learning and godliness, ministerial abilities and fidelity. In the year 1643, Commissioners were sent to *Scotland*, to treat with the Assembly there concerning these things. The Commissioners arrived at *Edinburgh*, August 9th, and were favourably received by the Assembly. On the 12th they presented their proposals to the Convention of Estates, and on the 15th to the Assembly, desiring, that, because the Popish prelatical faction is still pursuing their design, of corrupting and altering the religion through the whole island, the two nations might be strictly united for their mutual defence against them and their adherents, and not to lay down arms till those their implacable enemies be disarmed, &c. It was agreed, at the first conferences, that the best and speediest means for accomplishing the union and assistance desired, was, for both nations to enter into a mutual Covenant and League, which was soon drawn up and approved of, and sent into *England* by the hands of Lord *Maitland* afterwards Duke of *Lauderdale*, and Mr. *Henderson* and Mr. *Gillespie*, where it met with the approbation both of the Parliament and the

Apol. relation.
p. 69.

the Assembly, then sitting at *Westminster*, and was solemnly sworn and subscribed almost in all parts of that nation. *The Covenant subscribed and sworn.*

When thus it was sworn in *England*, the Commissioners of the General Assembly 11 *October* 1643, ordered the same to be, with publick humiliation and all religious solemnities, received, sworn and subscribed by all Ministers and Professors within the Kirk. And next day the Commissioners of the Convention of Estates appointed the same thing. All this was approved and ratified by act of Parliament 15 *June* 1644, and by the General Assembly 1645. And thus both nations, in a most solemn manner, abjured *Popery* and *Prelacy*, &c. and by this means the strength of the *Popish* and *Prelatical* faction was, in a great measure, broken.

By this time the King's affairs grew desperate, wherefore, on the 5th of *May* 1646, he surrendered himself to General *Leven*, and marched with the *Scots* army from *Newark* to *Newcastle*; but he would, by no means, approve of the *solemn league and Covenant*, nor yet comply with the propositions made to him by the Parliament of *England*. At last he was delivered up to the *English* Parliament, whose Commissioners conveyed him to *Holmby-house*, where he continued for some time. *The King goes to Scots. Is delivered up.*

In the year 1648, the Duke of *Hamilton*, by his interest and intrigues, prevailed with the Convention of estates to raise an Army and appoint him General of it, in order to rescue the King from his captivity. This undertaking and *Engagement* was entirely disagreeable to many. And the Commission of the Assembly remonstrated against it; not that they were against the King's rescue, as appears from their declarations, but they found, that, under the colour of acting against the *Independents* of *England*, the *Royalists* the mortal Enemies of *Scotland* and of all *Presbyterians*, were to be restored: besides, this was chiefly promoted by those who were never friends to the *covenant*; nay, they observed, that men were sent for to *Edinburgh*, who were enemies to the *covenant*, as *Langdale*, *Musgrave*, *Gleham*, and others; that the junction with the King's party, consisting of *Papists* and *Episcopalians*, was a most manifest breach of the *Covenant*; that, in short, by this the *The Engagement.*

Covenant, which was the basis and foundation of the union between the two nations, would be destroyed, whilst it was pretended to raise an army for its support. And indeed Providence blasted the whole design; for tho' Duke *Hamilton* invaded *England* with a numerous army, yet he was routed by CROMWELL, and taken prisoner, and afterwards beheaded.

*Act of
Classes.
Burnet.*

Soon after this defeat, the Parliament not only condemned the *Engagement*, for the reasons above-mentioned, but likewise passed an act against the *Engagers*, ranking them in several *Classes*, whence it got the name of an *act of Classes*, whereby they were excluded from all offices of publick trust and vote in Parliament. Of this number were *William* Earl of *Lanerk*, Brother to the Duke of *Hamilton*, the Earl of *Lauderdale*, and several others, who formed a faction, which *Rapin* calls the *Hamiltonian*. In short, in this act, all who had opposed the work of reformation were included. The Commissioners of the Assembly likewise appointed Church-censures to be inflicted on those, who had been concerned in the *Engagement*, in order to bring them to repentance.

Rapin.

*The King's
death.*

At last the *Seſtarian* party came to such a height in the *English* army, that they over-ruled the Parliament of *England*; for they put down the House of Lords as useless, modelled the House of Commons as they thought fit, erected a new Court, which they called an *high Court of justice*, before which they arraigned the King, and violently took away his Life, Jan. 30, 1649, against which the Commissioners both of the Church and State in *Scotland* did solemnly protest.

*P. Charles
takes the
title of
King.
Rapin.*

The Prince of *Wales* received the news of these things at the *Hague*, and immediately assumed the title of King, being then 18 years of age, and made those of his Father's Council, who attended him, to be sworn of his Privy-Council, with the addition only of one person, viz. Mr. *Long*, his secretary. In the mean time his condition was deplorable, not having wherewith to maintain his household, or any table, but that of the Prince of *Orange*, his brother-in-law, and subsisting intirely

intirely by his assistance, which could not last very long.

When advice came of the King's death to the Parliament of *Scotland*, which was then sitting, they, on the 5th of *Feb.* 1649, ordered Prince CHARLES to be proclaimed King of *Great-Britain, France and Ireland*, promising humbly and faithfully to obey, maintain and defend him, according to the NATIONAL COVENANT, the SOLEMN LEAGUE and COVENANT, with their lives and fortunes; and at the same time declaring, that before he be admitted to the exercise of the royal power, he shall give satisfaction to the kingdom in those things, that concern the security of religion, the unity between the kingdoms, and the good and peace of the kingdom of *Scotland*, according to the *Covenants*, &c.

Proclaim'd at Edinburgh.

Immediately Commissioners were sent to treat with his Majesty at the *Hague*, but these returned without satisfaction. Next year Commissioners were sent to him at *Breda*. The Parliament pitched upon the Earls of *Cassils* and *Lothian*, *Alexander Brodie* of that ilk, Mr. *George Windram* of *Libberton*, these two last being Lords of Session, together with Mr. *John Smith* and *Alexander Jaffray*. The Commission of the Kirk chose the Rev. Mr. *John Livingston*, Mr. *James Wood* and Mr. *George Hutchison*. *Cassils* and *Brodie* sustained the character of ruling Elders. It was with great reluctance that Mr. *Livingston* engaged in this service. The day these Commissioners landed at *Campvere*, *Lothian* and *Libberton* proposed, that letters might be wrote to Duke *Hamilton* and the Earl of *Lauderdale*, and some other malignants then at the *Hague*, to repair to *Breda* to assist at the treaty; but that was rejected. However, after the Commissioners got to *Breda*, the Duke of *Hamilton*, &c. came likewise. The Parliament had limited the time of treating to thirty days, and yet it was several days before the first papers were delivered to the King, and some days after before His Majesty gave his answers. It is true, the King complied at last to all the conditions required. But the Rev. Mr. *Livingston*, one of the Commissioners, says, that all the time of this treaty,

Treaty of Breda. Livingston's Life, writ by himself, p. 29, &c.

treaty, he continued the use of the *Service Book* and of his *Chaplains*, and that there did not appear any thing of sincerity on the part of the King, who granted nothing but what he was in a manner compelled to ; and it was the very last day they had to treat, before the treaty was concluded.

Montrose's
expedition.
*Hist. of
Stuarts,*
p. 387.

The King postponed the signing of the treaty, on account of the great hopes he had entertained, from the expedition of the Marquis of *Montrose*, who had picked up 2 or 3000 men in *Denmark* and *Holstein*, with an intention to prepare the way for the King's reception in *Scotland*, without being obliged to comply with the terms proposed. Part of these troops landed first in *Orkney* and the rest at *Caithness*, during the time of the treaty. The Parliament having notice of this, ordered *David Lesly* to march against him : but before he could come up, Col. *Strackan* fell upon them, and intirely defeated them. *Montrose* surrendered himself to Lord *Astin*, by whom he was sent under a strong guard to *David Lesly*, who carried him to *Edinburgh*, where he was hanged, drawn and quartered. It was found that he had the King's Commission, whereupon the Committee of estates determined to recal their Commissioners from *Breda* and break off the treaty ; and for this end sent an express with letters, which falling into the hands of *Libberton*, were, without the knowledge of the other Commissioners, delivered by him into the King's hands ; who, seeing how matters stood, thought proper to comply with all the proposals. He engaged to remove, from his counsels, all who stood excommunicate by the Kirk, that he would take the NATIONAL COVENANT and SOLEMN LEAGUE and COVENANT, and prosecute the ends thereof, that he would ratify and approve all acts of Parliament enjoining the same, and establishing *Presbyterian* government, the directory of worship, the *Westminster Confession of Faith* and *Catechisms*, &c. and that all civil matters should be determined by the present and subsequent *Parliaments*, and all ecclesiastical by the ensuing *General Assemblies* of the Church. But though he agreed to all this, it is plain, he did not intend to perform the agreement : all was artifice and dissimulation.

*Hind let
loose,*
p. 86.

For on the *Saturday* before the King left *Breda*, the Ministers, who were Commissioners for the Church, having intelligence that his Majesty intended next day to communicate *kneeling*, went to him and shewed him the sin of so doing, how it would provoke God to blast all his designs, was inconsistent with his concessions, and would confirm some, who were of opinion, that he was only dallying with God and them. They left him, to think of what they had said, till after supper. But when they returned, they found him fixed in his resolution. He said, *his father used always to communicate at Christmas, Easter and Whitsunday, and he behoved to do so likewise, and that people would think strange of him, if, having resolved to communicate, he should forbear it, and that he did it to procure a blessing from God on his intended voyage.* In short, all they could say could not prevail, so that in effect his Majesty broke the treaty, before he left *Breda*.

The King communicates kneeling.

Livingston's life, p. 35.

The King embarked, and, besides the Commissioners, was attended by Duke *Hamilton*, the Earl of *Lauderdale* and other *malignants*, so that Mr. *Livingston* had no inclination to go aboard; for he says, that he thought, both in regard of the profane *malignant* company, and how matters stood in the *treaty*, they were taking the PLAGUE OF GOD with them to *Scotland*, and therefore he chose to go back to *Rotterdam*, and come home with the first opportunity. However he was got aboard, and the King arrived in the mouth of the *Spey* on the 23d of *June*. There had been debates on the passage concerning the King's taking the COVENANTS, to which he seemed refractory; however at last he declared his willingness. Mr. *Livingston* would fain have had the King's swearing postponed, because he did not look upon him to be sincere, but the rest urged, that it would give great offence if the King's offer of swearing the *Covenant* should be rejected.

The King embarks.

Ibid. 36.

p. 38.

Mr. *Livingston* not being able to get this affair delayed, was prevailed with to preach on the occasion; which having done, he distinctly read the NATIONAL COVENANT and SOLEMN LEAGUE and COVENANT. His Majesty standing, and lifting up his right hand, swore

Takes the Covenants Apol. relation, p. 65.

swore the same in presence of the Commissioners and others, in the following words, subjoined to both *Covenants*.

The King's oath. “ I CHARLES, King of *Great-Britain, France* and *Ireland*, do assure and declare, by my solemn oath, in the presence of the Almighty God the searcher of hearts, my allowance and approbation of the NATIONAL COVENANT and of the SOLEMN LEAGUE and COVENANT above-written, and faithfully oblige myself to prosecute the ends thereof in my station and calling ; and that I, for myself and successors, shall consent and agree to all acts of parliament enjoining the NATIONAL COVENANT and SOLEMN LEAGUE and COVENANT, and fully establishing *presbyterial* government, the Directory of worship, the Confession of Faith and Catechisms in the kingdom of *Scotland*, as they are approved by the General Assembly of this kirk, and Parliament of this kingdom. And that I shall give my royal assent to the acts of Parliament enjoining the same in the rest of my dominions, and that I shall observe them in my own practice and family, and shall never make opposition to any of these, or endeavour any change thereof.”

And immediately subscribed the same. We shall see what regard he paid to this. However, for the present, he acted his part as well as he could, and submitted to every thing required, even to part with *Hamilton, Lauderdale*, and others. But all this was against the grain. He had an inward aversion to every thing that looked like strictness in religion, was uneasy at the faithful reproofs he received from time to time.

Cromwel
marches
against
Scotland.

But while these things were a doing in *Scotland*, the Parliament of *England* recalled CROMWELL from *Ireland* to take the command of an army which was to act against the King. Accordingly, about the middle of *July*, that General was at the head of an *English* army, consisting of eighteen or nineteen thousand men, and marched to the frontiers of *Scotland*, where he published his manifesto.

At

At this time, both church and state were taking measures for the further security of their religion and liberties, from any incroachments that might be made by the young King ; accordingly the Commission of the Assembly made the following act, at the *West-kirk* of *Edinburgh*, which I shall here insert.

West-kirk, Aug. 13, 1650. “ The Commission of *Act of the*
 “ the General Assembly, considering that there may *West kirk.*
 “ be just ground of stumbling, from the King’s Majesty’s *Hind let*
 “ refusing to subscribe and emit the *Declaration*, offered *loose,*
 “ to him by the Committee of estates and the Commis- *P. 106.*
 “ sion of the General Assembly, concerning his former
 “ carriage and resolutions for the future, in reference to
 “ the *cause of God*, and the enemies and friends thereof ;
 “ doth therefore declare, that this kirk and kingdom
 “ doth not own or espouse any *malignant* party, or quar-
 “ rel or interest, but that they fight merely upon their
 “ former grounds and principles, and in the defence of
 “ the *cause of God*, and of the kingdom, as they have done
 “ these twelve years past : and therefore, as they dis-
 “ claim all the sin and guilt of the King, and of his
 “ house, so they will not own him nor his interest,
 “ otherwise than with a *subordination* to God, and so
 “ far *as he owns and prosecutes the cause of God* ; and
 “ disclaims his and his father’s opposition to the work
 “ of God, and to the COVENANT ; and likewise all the
 “ enemies thereof, and that they will, with convenient
 “ speed, take into consideration the papers lately sent
 “ unto them by *Oliver Cromwell*, and vindicate them-
 “ selves from all the falsehoods contained therein, espe-
 “ cially in those things, wherein the quarrel betwixt us
 “ and that party is mis-stated, as if we owned the late
 “ King’s proceedings, and were resolved to prosecute
 “ and maintain his present Majesty’s interest, before
 “ and without acknowledgment of the sin of his house
 “ and former ways, and satisfaction to God’s people
 “ in both kingdoms.”

ALEX. KER.

The same day, *August* the 13th 1650. “ The Committee of estates having seen and considered a declaration of the Commission of the General Assembly, * anent the stating of the quarrel, wherein the army is to fight, do approve the same, and heartily concur therein.”

ALEX. HENDERSON.

These were doubtless things of hard digestion with his Majesty, especially as at this time, all his thoughts were bent to get in his old friends the *Hamiltonian* and *Malignant* faction: But he could not make the attempt now; for *Cromwel* was coming against him, both church and state had declared themselves very plainly; wherefore CHARLES, the better to disguise his secret intentions, emits a most remarkable declaration from *Dumfermling* on the 16th of *August* 1650, of which I give the following extract, as far as it relates to his former oath.

CHARLES R.

*The King's
declaration at
Dumfermling.
Wodrow.
Ap. N. 1.*

“ HIS Majesty taking into consideration that merciful dispensation, — by which he hath been recovered out of the snare of evil counsel, — doth in reference to his former deportments, and to his resolutions for the future, declare as follows,
“ Though his Majesty, as a dutiful son, be obliged to honour the memory of his royal Father, and have in estimation the person of his Mother, yet doth he desire to be deeply humbled — before God, because of his father's hearkening to and following evil counsels, and his opposition to the work of Reformation, and to the Solemn League and Covenant, — and for the idolatry of his mother, the toleration of which in the King's house, — could not but be a high provocation to him, who is a jealous God, visiting the iniquities of the fathers upon the children. And albeit, his Majesty might exte-

* Concerning.

“ nuate his former carriage and actions, in following
 “ the advice, and walking in the way of those, who are
 “ opposite to the *Covenant* and to the *work of God*, —
 “ yet knowing that he hath to do with God, he doth
 “ ingenuously acknowledge *all his own sins, and all the sins*
 “ *of his father's house*, craving pardon, and hoping for
 “ mercy and reconciliation, thro' the blood of Jesus
 “ Christ. —

“ And his Majesty, having, upon the full perswasion
 “ of the justice and equity of all the heads and articles
 “ thereof, now sworn and subscribed the *national Cove-*
 “ *nant* — and the *Solemn League and Covenant*, —
 “ doth declare, that he hath not sworn and subscribed
 “ these Covenants and entered into the oath of God
 “ with his people upon any *sinister intention* and *crook-*
 “ *ed design*, for attaining his own ends, but, so far as
 “ human weakness will permit, in the truth and sin-
 “ cerity of his heart, and that he is firmly resolved, in
 “ the Lord's strength, to adhere thereto, and to pro-
 “ secute, to the utmost of his power, the ends thereof
 “ in his station and calling, really, constantly and sin-
 “ cerely, all the days of his life. In order to which,
 “ he doth in the first place profess and declare, that *he*
 “ *will have no enemies but the enemies of the Covenant,*
 “ *and — no friends but the friends of the Covenant*: And
 “ therefore as he doth now detest and abhor all *Popery*,
 “ *Superstition* and *idolatry*, together with *Prelacy* and
 “ all errors, heresy, and schism and profaneness, and
 “ resolves not to tolerate, much less allow any of these,
 “ in any part of his Majesty's dominions, but to op-
 “ pose himself thereto, and to endeavour the extirpa-
 “ tion thereof to the utmost of his power: so doth he
 “ as a Christian exhort, and as King require all such of
 “ his subjects, who have stood in opposition to the *So-*
 “ *lem League and Covenant* and *Work of Reformation*,
 “ upon a pretence of kingly interest, or any other pre-
 “ text whatsoever, to lay down their enmity against
 “ the cause and people of God, and to cease to prefer
 “ the interest of man to the interest of God, which hath
 “ been one of those things, which hath occasioned many
 “ troubles — and being insisted in, will be so far from

“ establishing the King’s throne, that it will prove an
 “ idol of jealousy to provoke — him who is King of
 “ Kings, and Lord of Lords. The King shall always
 “ esteem them best servants and most loyal subjects,
 “ who serve him and seek his greatness in a *right line*
 “ of subordination to God, giving unto God the things
 “ that are God’s, and unto *Cæsar* the things that are
 “ *Cæsar*’s; and resolveth not to love or countenance
 “ any, who have so little conscience and piety, as to fol-
 “ low his interest with a prejudice to the Gospel and
 “ the kingdom of Jesus Christ, which he looks not
 “ upon as duty, but as flattery and driving of self-
 “ designs, under pretence of retaining royal authority
 “ and greatness.

*Given at our Court at Dumfermling, August 16,
 1650, and in the second year of our reign.*

Remarks.

Now who can compare these solemn oaths and protestations with this Prince’s after-conduct without horror, both on account of his wicked dissimulation and horrid perjury? It is alledged, that the necessity of his affairs forced him to these compliances; but surely he was one that had no sense of religion, in being capable of mocking God in this manner. When the reverend Mr. Gillespie put the pen into his hand, to subscribe the above declaration, he told him, “ that if he was not satisfied
 “ in his soul and conscience, beyond all hesitation, of
 “ the righteousness of the subscription, he was so far
 “ from overdriving him to run upon that, for which
 “ he had no light, that he * obtested him, yea charged
 “ him in his Master’s name, not to subscribe *that de-*
 “ *claration*, no not for the three kingdoms. ” To which the King answered, *Mr. Gillespie, Mr. Gillespie, I am satisfied, I am satisfied, and therefore will subscribe it.* The truth is, CHARLES could swallow any thing; for, notwithstanding the above declaration, measures were, at this time, concerting for bringing in the *enemies* of the *Covenant* both in the army and the *Judicatories*, and to divide the *Presbyterians* among themselves.

*Hind let
 loose.*

P. 87, 88.

* Entreated.

We have seen, how CROMWEL invaded the country ; *Battle of*
a good army was raised against him under the command *Dumbar.*
of General *Leslie*, but it was entirely routed by *Crom-*
wel at *Dumbar* on the 3d of *September*. The King was
pleased at this defeat of his subjects ; for now he thought,
he would have an opportunity of accomplishing his de-
sign of getting the *Hamiltonians* and *Malignants* both into
his armies and councils. *Clarendon* has a strange remark *Neal.*
upon this ; “ Never, *says he*, was victory obtained with p. 22.
“ less lamentation ; for as *Cromwel* had great argument
“ of triumph, so the King was glad of it, as the great-
“ est happiness that could befall him, in the loss of so
“ strong a body of his enemies.” So that according
to the noble historian, his Majesty looked upon his sub-
jects as his enemies.

As the King was well received by the Marquis of
Argyle, so he professed, at this time, a great regard for
his Lordship, as appears from the following letter and
declaration under his own hand, which I cannot but in-
sert, that the reader may see what regard his Majesty
had to his royal promises and engagements.

“ HAVING taken into my consideration the *King's de-*
“ faithful endeavours of the Marquis of *Argyle*, *claration*
“ for restoring me to my just rights, and the happy *in favour*
“ settling of my dominions, I am desirous to let the *of Argyle.*
“ world see, how sensible I am of his real respect to *Wodrow.*
“ to me, by some particular marks of my favour to *p. 56.*
“ him, by which they may see the trust and confidence
“ which I repose in him : And particularly, I do pro-
“ mise, that I will make him Duke of *Argyle* and
“ Knight of the Garter, and one of the Gentlemen of my
“ Bed-chamber, and this to be performed when he
“ shall think it fit. And I do further promise him to
“ hearken to his counsels ——— (worn out) ———
“ when ever it shall please God to restore me to my
“ just rights in *England*, I shall see him paid the forty
“ thousand pounds sterling which is due to him. All
“ which I do promise to make good upon the word of
“ a King.

St. *Johnstoun*
24. *Sep.* 1650.

CHARLES R.
We

We shall afterwards see how these fine things were performed.

Rise of the Resolutions and Protestators. Wodrow. Intr. p. 3. After the battle of *Dunbar*, it was proposed, that the restraints should be taken off, by which the *Malignants* were hindered from serving his Majesty: This was at first refused. But the defeat at *Hamilton* falling out in a little time, was made a new argument for admitting of *Malignants* into the army, because, as was alledged, the present standing forces were not sufficient for the defence of the kingdom, unless all the * sensible men, without distinction, were raised. The King therefore wrote from *Perth*, where the Parliament then sat, to the Moderator of the Commission, desiring him to call a Commission *pro re nata*, or of purpose, to give their judgment in this matter. The opposers of the *Resolutions* alledged, that many members had no notice, and that the time for meeting was so soon after the notice, that the members could not attend.

The Parliament's Question. When a Quorum of the Commission was met at *Perth*, the Parliament enquired, "What persons are
" to be admitted to rise in arms, and to join with
" forces of the kingdom, and in what capacity for
" defence thereof against the armies, of the *Sectaries*,
" who, contrary to the *Solemn League and Covenant*,
" and treaties, have most unjustly invaded and are de-
" stroying the kingdom?"

The Commission's Answer. The Commission, on the 14th of *December*, 1650, answered, "In this case of so great and evident neces-
" sity, we cannot be against raising all sensible persons
" in the land, and permitting them to fight against
" this enemy, for the defence of the kingdom, except-
" ing such as are *excommunicated*, *forfeited*, notoriously
" profane or flagitious; or such as have been, from the
" beginning, or continue still, and are at this time,
" obstinate and profess'd enemies and opposers of the
" *Covenant* and *Cause of God*: And for the capacity of
" acting that the estates of Parliament ought to have,
" as we hope they will have, special care, that in this
" so general a concurrence of all the people of the

* Men able to bear arms.

“ kingdom, none be put in such trust and power,
 “ as may be prejudicial to the *Cause of God*, and that
 “ such officers as are of known integrity and affection
 “ to the cause, and particularly such as have suffered
 “ in our former armies, may be taken special notice
 “ of.”

Upon this answer, some of the most considerable *ma- Effects of*
lignants were employed in the army. Some of the *it*.
 general officers, and more than half the colonels, were
 of this stamp, and not a few of them had been with
Montrose: But their proceedings were very offensive to
 many Ministers and *Presbyteries*, particularly those of
Stirling and *Aberdeen*. The Reverend Mr. *James Guthrie*
 and Mr. *David Bennet*, Ministers at *Stirling*, in conjunc-
 tion with the rest of that Presbytery, wrote to the *commis-*
son at their next meeting, declaring their dissatisfaction
 with their *resolutions*, which was likewise done by many
 other *Presbyteries*. These two Ministers spoke their mind
 with freedom and plainness, and preached against the
public resolutions, as involving the land in a conjunction
 with the *malignant* party.

About the end of this year, matters were brought to *The King*
 that pass, that a considerable number of noblemen, *disappoint-*
 gentlemen and others was to rise and form themselves *ed*.
 into an army under *Middleton*'s command, and the King
 was to throw himself into their arms. Accordingly,
 all of a sudden, he withdrew from *St. Johnstoun* and re-
 paired to the place appointed. But not finding things
 to answer his expectation, he returned to *St. Johnstoun*
 with Major-general *Montgomery*, whom the Committee
 of estates had sent after him. This was a plain proof
 that all his Majesty's compliances were insincere. *Mid-*
dleton was excommunicated by the Commission of the
 General Assembly, and the sentence was pronounced by
 the said Mr. *James Guthrie*. However, the Commission
 at their next meeting took it off.

Mean while, on the 1st of *January 1651*, King *Crowned*
 CHARLES II. was crowned at *Scone*; the noble Mar- *at Scone*.
 quis of *Argyle* put the crown upon his Majesty's head.
 After an excellent and suitable sermon preached by the
 Reverend Mr. *Douglas* from 2 *King*. xi. 12, 17. the *Phenix*.
 solemnity

solemnity began with the King's most solemn renewing of the National and Solemn League and Covenant in this manner. The King kneeled and lifted up his right-hand before the three estates of the kingdom, the Commissioners of the General Assembly and all the Congregation, and *by his solemn oath in presence of the Almighty God the searcher of hearts, he assured and declared his allowance of the National Covenant and Solemn League and Covenant, promising faithfully to prosecute the ends thereof, and to establish the same with the presbyterial government and the whole work of God in all his dominions.* Then the King was presented to the people, and the question was put, whether *they were willing*, to have him for their King, and submit to his authority: They expressed their willingness by saying, *God save King CHARLES II.* After this, he took the coronation oath, and when the sword was put into his hands, he was desired to receive the same *for the defence of the faith of Jesus Christ and of the true religion*, according to the covenants, *and for the ministration of justice, &c.* which he accepted accordingly. Just before the crown was set upon his head, the Minister prayed, *that the Lord would purge the crown from the sins and transgressions of them that did reign before him: that it might be a pure crown, that God would set the crown upon the King's head, &c.* and then the Marquis set the crown on his head. Upon this the Noblemen came one by one, and kneeling, with their hand touching the crown, swore *by the eternal and almighty God* to be true and faithful subjects according to *the National Covenant and Solemn League and Covenant.* Then the people's obligatory oath was proclaimed, whereby they all swore *by the eternal and almighty God, who liveth and reigneth for ever, to be true and faithful to the King* according to the National and Solemn League and Covenant. Being after this installed and set upon the throne, the Minister exhorted him *to remember, that his throne is the Lord's throne,* 1 Chron. xxix. 23. *And being a COVENANTED King, he ought, under God, to rule for God, and especially to beware that he made not the Lord's throne a throne of iniquity, to frame mischief by a law, even such mischievous laws*

laws as had been enacted by his predecessors, destructive to religion, and grievous to the Lord's people. Then the Nobles being called one by one, and kneeling before the King on the throne, and holding their hands between his hands, swore *by the eternal and almighty God, who liveth and reigneth for ever and ever, to be true and faithful to the King,* according to the National and Solemn League and Covenant. The solemnity was concluded with a solid and pertinent exhortation, both to the King and people, to keep the *Covenant*, and beware of breaking it; and both King and Nobles were certified, that if the King and they, who were engaged to support his crown, shall conspire together against the kingdom of Jesus Christ, both the supporters and supported should fall together.

This was a very solemn action, and all the solemnities of it were so interwoven with the *Covenants*, that it must be acknowledged, that never King and people under the sun, could be more strictly bound to God and to one another, than these were: But his Majesty, notwithstanding all these oaths and declarations, still persisted in his design of getting the *Malignants* in to the Judicatories, as he had got them into the army. And as Mr. *James Guthrie* and Mr. *David Bennet* preached openly and faithfully against the *publick resolutions*, so in the month of *February* the Chancellor, by a letter, ordered them both to repair to *Perth* on the 19th, and to answer before the King and the Committee of Estates, for their letter to the Commission and their doctrine. The two Ministers, on account of the indisposition of one of them, excused their appearing on that day, but promised to attend about the end of the week. Accordingly, on the 22d of *February* they appeared at *Perth*, but gave in a *Protestation*, signifying that, tho' they paid all due regard to his Majesty's civil authority, yet they did not acknowledge his Majesty, or their Lordships, as proper judges of their doctrine, or of what concerned their ministerial calling; *that* being the province of the Judicatories of the church. This matter was put off for some days, till the King's return from *Aberdeen*, and, in the mean time, the two Mini-

Mr. Guthrie and Bennet decline the civil authority in matters ecclesiastical.

sters were confined to *Perth* and *Dundee*; whereupon, *February* 28th, they presented a second paper, containing a *Protestation* to the same purpose with the former, tho' in stronger terms, and supported by a great many excellent arguments. After these protestations, the King and the Committee of Estates thought proper to dismiss the two Ministers, and to proceed no further in this affair. However, we shall find, that Mr. *Guthrie's declining the King's authority* at this time, in matters ecclesiastical, was made a principal article in his indictment, ten years after this.

Debates concerning the Resolutions.

Mean while, the Commission of the Assembly, finding their answer to the Parliament's questions censured and condemned, published a warning and a large answer to the letter from the Presbytery of *Stirling* in their own vindication. This occasioned many debates, especially as all Ministers and Preachers were, by the Commission, discharged to speak or write against these *Resolutions*, and an act was made, ordaining Presbyteries to proceed with the Censures of the kirk, against those who should oppose them, and transmitted the copy of another act to Presbyteries, ordaining those who opposed the *Resolutions*, to be cited to the next Assembly at *St. Andrews*, by which means many of these were prevented from being members of the Assembly.

Another Query by the Parliament.

It is easy to see, how agreeable this was to his Majesty, who, notwithstanding his being a COVENANTED King, and sworn to maintain and promote *presbyterial* government, yet hated *Presbytery*, and would be glad of every thing that tended to its overthrow. Accordingly, while these things were a doing, the Gentlemen, who by means of the former *Resolutions*, had got into the army, next wanted to get into the Judicatories, from which they were excluded by the *Act of Classes*. In order therefore, to get this act rescinded, the King and Parliament proposed the following question to the Commission of the General Assembly. "Whether or not it be sinful and unlawful, for the more effectual prosecution of the publick *Resolutions*, for the defence of the cause of the King and the kingdom, to admit such to be members of the Committee
" of

“ of *Estates*, who are now debarred from the publick
 “ trust, they being such as have satisfied the kirk for
 “ the offence, for which they were excluded, and are
 “ since admitted to enter into covenant with us ?”

The Commission delaying their answer, on the 3d
 of *April*, the Moderator received a letter from the King
 and Parliament, desiring the Commission to meet at
Pertb on the 17th, not only to give a positive answer
 to the last query, but their judgment and resolutions,
 if it be sinful and unlawful to repeal the *Act of Classes* ;
 and on the 23d they received another letter to the same
 purpose.

To both which the Commission, after some previous *The Com-*
 cautions, answered, “ As for the *Solemn League and* *mission's*
 “ *Covenant, the solemn acknowledgment and engagement,* *answer,*
 “ and former declarations emitted by this church (which
 “ are set down as grounds in the narrative of the *Act*
 “ *of Classes*) we find they do not particularly determine
 “ any definite measure of time, of excluding persons from
 “ places of trust for bypast offences, but only bind and
 “ oblige accordingly to punish offenders, as the degree of
 “ their offences shall require or deserve, or the supreme
 “ Judicatories of the kingdom, or others having power
 “ from them for that effect, shall judge convenient, to
 “ purge all Judicatories and places of power and trust,
 “ and to endeavour, that they may consist of, and be
 “ filled with such men, as are of known good affection
 “ to the cause of God, and of a blameless Christian
 “ conversation (which is a moral duty commanded in
 “ the word of God, and of perpetual obligation) so that
 “ nothing, upon the account of those grounds, doth
 “ hinder, but that persons, formerly debarred from
 “ places of power and trust for their offences, may be
 “ admitted to be members of the Committee of *Estates*,
 “ and the censures inflicted upon them by the *Act of*
 “ *Classes*, may be taken off and rescinded without sin
 “ by the Parliament, in whose power it is to lengthen
 “ or shorten the time of their censures, as they shall
 “ find just and necessary, providing they be men
 “ that have *satisfied the kirk* for their offences, have
 “ renewed and taken the *Covenant*, and be qualified
 “ for

“ for such places, according to the qualifications required in the word of God, and expressed in the solemn *acknowledgment* and engagement, &c.”

The divisions that followed.

Upon this answer, the *Act of Classes* in all its articles was repealed, so that great numbers formerly excluded were brought into Parliament, nominated as members of the Committee of Estates, and made capable of places of trust; and in a little time the bulk of the *malignant* party got the management of all into their own hands.

These *Resolutions* and proceedings gave great offence to many godly and eminent Ministers, and even to some Presbyteries. As they who adhered to the *Resolutions* were called RESOLUTIONERS, so the opposers of them were called PROTESTORS and *Anti-resolutioners*.

Burnet.

bist. p. 55.

“ On the one hand it was said, that every government might call out all that were under its protection to its defence; this seemed founded on the law of nature and nations: And if men had been misled, it was a strange cruelty to deny room for repentance. This was contrary to the nature of God and to the gospel, and was a likely mean to drive them to despair.— But the *Protestors* objected, that to take in men of known enmity to the cause, was a sort of betraying it, because it was putting it in their power to betray it; that to admit them to a profession of repentance was a profanation and a mocking of God. It was visible they were willing to comply, though against their conscience, only to get into the army, nor could they expect a blessing from God on an army so constituted.” And, says the Bishop, *this mock penitence was indeed a matter of great scandal*. And the following history will abundantly shew, that the *Protestors* were not out in their sentiments; for these men afterwards did betray the cause, and persecute those that maintained it.

The Cov. ratified by Parliament.

Wodrow, p. 22.

However, when the Parliament met, they thought proper, in the month of *June*, to ratify all the preceeding treaties, transactions, engagements and actions concluded and enacted by the King, whereby the same did pass into a perpetual law. And it was expressly pro-

provided, his Majesty being present, "that in all succeeding Parliaments, every member, before they entered upon business, should sign and subscribe the Covenant, and without this, the constitution of the Parliament, and all they do, was declared void and null." Thus the *Covenant* became at last the very fundamental law of the kingdom. Mr. *Wodrow* says, that the acts of this Parliament were not printed, but that from persons then alive, and several papers, he was fully assured that such an act was made.

The General Assembly met at *St. Andrews* in *July*, when the *Anti-resolutioners* PROTESTED against the lawful freedom of the Assembly. Three of the subscribers were, after citation, deposed, and one suspended, and the actings of the commission approved.

Soon after this, the King and his army marched into *England*, but on the 3d of *September 1651*, were totally routed at *Worcester*, his Majesty most narrowly escaping. By this blow his affairs were reduced to such an extremity, that he found himself obliged to remove from the kingdom, which, with difficulty, he accomplished, and retired to *France*. In the mean time, General *Monk*, who was left in *Scotland*, quickly reduced that kingdom to the obedience of the *English* republick.

The King routed at Worcester.

Soon after this, the just privileges of the church were infringed, and Commissioners, chiefly of the independent persuasion, were sent into *Scotland* to visit the universities, and to settle an unlimited toleration and liberty of conscience, inconsistent with their ecclesiastical constitution, and contrary to the *Covenants*. On the 26th of *July 1652*, a declaration was presented to the Assembly in favour of the congregational discipline and for liberty of conscience, but the faithful members (whom Mr. *NEAL*, in derision, calls the *stubborn Assembly-men*) instead of yielding to the declaration, gave in a protestation against it. When the Assembly met again at *Edinburgh* next summer, and were just entering upon business, Lieutenant Colonel *Cotterel* went into the church, and standing up upon one of the benches, told them, that no ecclesiastical Judicatories were to sit there, but by authority of the Parliament

Church judicatories insulted. Neal.

liament of *England*; and without giving them leave to reply, he commanded them to retire, and conducted them out of the west-gate of the city, with a troop of horse and a company of foot, and enjoined them, not to assemble any more, *above three in a company*. In like manner, on the 10th of *April* 1655, the Synod of *Pertb* and *Stirling* was no sooner met at *Dumblain*, but it was dissolved in a violent manner, by open force, (of which I have an account from the registers transmitted to me by a reverend Minister of that Synod;) for one Lieutenant *Belvin* came with a band of soldiers, and commanded them to dismiss, alledging, that he had orders from his superiors. But though the Synod desired to see them, yet he absolutely refused, and, upon their demurring and delaying to obey orders, the soldiers laid hands on them, and thrust them violently out of the church. Thus were the liberties of the church invaded.

Mean while, the unhappy differences between the *Resolutioners* and *Protestors* still went on, 'till at last in the years 1655 and 1656, conferences were agreed on for an union, and the matter was carried up to *London* before OLIVER CROMWELL, who had usurped the government, and been declared PROTECTOR, but without effect. However, both *Resolutioners* and *Protestors* agreed in this, that they were enemies to the *usurpation*, and loyal to the KING, though it was not yet in their power to contribute any thing to his *restoration*, which they sincerely wished for *upon proper terms*. But as they had little reason for their zeal in behalf of his interest, so they were ill rewarded for it: and indeed little else could be expected from such a monster of hypocrisy and perjury, as CHARLES was.

*The King
embraces
Popery,
Neal.
V. 4. p.
53.*

For when the King arrived in *France*, he immediately threw off the mask of a *Presbyterian*, and never went once to the *Protestant* church at *Charenton*, though they invited him in the most respectful manner: but Lord *Clarendon* dissuaded him, because the *Hugonots* had not been hearty in his interest, and because it might look disrespectful to the *old church of England*. But the truth is, the Court, not having a prospect of the King's restoration by the *Presbyterians*, turned their eyes

eyes to the *Roman* Catholicks, and many of the King's retinue changed their religion, as appears by the *legenda lignea*, published about this time, with a list of fifty three new Converts, among whom were several names in *red capitals*, not to mention the KING himself, of whom father *Huddleston*, his confessor, writes in his treatise, entitled, *A short and plain way to the faith of the church, published 1685*, that he put it into the King's hand in his retirement; and that when his Majesty had read it, he declared *he did not see how it could be answered*. Bishop *Burnet* says, "Before King CHARLES P. 73.
 "left *Paris* (which was in *June 1654*) he changed his
 "religion, but by whose persuasion is not yet known,
 "only Cardinal de *Retz* was in the secret, and Lord
 "Aubigny had a great hand in it. Chancellor *Hide* had
 "some suspicion of it, but would not suffer himself to
 "believe it quite. Sir *Allen Broderick*, when on his
 "death-bed, sent Dr. *Burnet* an account of this mat-
 "ter, which he believed was done in *Fontainebleau* be-
 "fore King CHARLES was sent to *Colen*." And it is
 certain, says Mr. *Neal*, that he was reconciled to the
 church of *Rome* this year (1659) at the *Pyrenean* treaty P. 232.
 concluded between *France* and *Spain*, whither he had
 repaired *incognito* to engage them in his interest. Here
 the King staid twenty days, in which time he with the
 Earl of *Bristol*, and Sir *H. Bennet* embraced the *Roman*
 Catholick religion; so that this COVENANTED King
 broke all his solemn engagements, and turned *Papist*,
 before his *restoration*. However, his Majesty rightly
 judging, that it was not his interest to avouch what he
 had done, by making an open profession of *Popery*, as
 his brother afterwards did, still pretended to be a *Pro-*
testant himself, and to have a real concern for the *Pro-*
testant religion.

After CROMWELL's death, which happened Sept. 3, Cromwel's
 1658, things went pretty smooth, 'till the King, upon death.
 his return, declared his displeasure with the *opposers* of
 the *resolutions*, some of whom were among the first of
 the sufferers in the tragical period, of which I am to
 treat, while the whole honest *Presbyterians* were after-
 wards made partakers with them.

Mean

England
in confu-
sion.

Mean while *England* was embroiled in confusions. In *April* 1659, RICHARD the young PROTECTOR dissolved his parliament, and soon after was himself obliged to resign ; after which matters took a new turn almost every month, 'till at last the whole government was managed by a *Committee of Safety*, appointed by the officers of the army ; so that the *English* nation became sick of these changes, and willing to prefer any government to the present anarchy. Many of the gentry therefore, from several parts, sent letters to General MONK, inviting him to march his army into *England*, to obtain a free Parliament.

Monk's
behaviour
in Scot-
land.
Wodrow.
p. 4.

Monk managed every thing in *Scotland*, apprehended and imprisoned the Earls *Marshall*, *Montrose*, *Eglinton*, *Selkirk*, *Glencairn* and *Loudon*, Lord *Montgomery*, L. General *David Leslie*, Viscount of *Kenmure*, Lord *Lorn*, Earl of *Seaforth*, Sir *James Lumsden*, Col. *James Hay*, Earl of *Kelly*, Major *Livingston*, and Earl of *Roths*. Such of them as took the *Tender*, and gave bond for their peaceable behaviour, were set at liberty. However, the General had a great share in the restoration of the royal family, which was now approaching.

Mr. Doug-
las pro-
poses the
restoration
Ibid. p. 3.

In *Scotland* the Rev. Mr. *Robert Douglass* was the first, says my author, as far as he could find, who ventured to propose the King's restoration to General *Monk*. It is said he travelled *incognito* in *England*, and in *Scotland* engaged considerable numbers of noblemen and gentlemen in this project.

Monk
summons
the Com-
missioners,
&c.

On the 19th of *October*, the General assembled all the officers of the army in *Scotland*, and engaged them by oath, to submit to and serve the Parliament, cashiered all he suspected, and managed every thing according to his own mind, and then resolved to march up with his army to *England* and restore the privileges of Parliament ; but before he departed he ordered the Commissioners of Shires, Magistrates of Burghs, and many of the Nobility to meet him at *Edinburgh*. They assembled in the Parliament-house *Nov. 15*. He told them that he was to march to *England* to re-establish the liberties of Parliament, and recommended to them to main-

maintain the peace, and suppress all risings and commotions, during his absence.

On the 22d, he marched towards *England*, and, when at *Haddington*, received articles from the Council in *England*. But these not pleasing him, he returned with his officers to *Edinburgh*. Mr. *Douglas* met him, and again engaged him in the attempt of the *restoration*. After consultation, he and his officers rejected the articles, as contrary to their principles, which were, to be governed not by the *Sword*, but by a *Parliament* lawfully called, in the maintenance of which they were engaged by oath. Accordingly he returned his answer on the 24th, and on the 2d of *December* he marched with his army to *Berwick*, where he continued some time. On the 12th he sent Commissions to the Commissioners of the Shires for keeping the peace, during his absence.

About this time, *Portsmouth* and part of the fleet revolted, and declared for a *free Parliament*, as did several detachments of the army, which made way for *Monk's* entering into *England*. The *Committee of Safety*, seeing all things in confusion, resigned their authority, and restored the *Parliament*, which met on the 26th of *December*, and named a Committee to govern the army in their name, and under their direction.

Monk entered *England* with his army *Jan. 2, 1660, 1660.* and, some days after, received a letter from the Speaker, thanking him for his kind intentions, and insinuating, that he might save himself the trouble of coming to *London*, since the *Parliament* was in peaceable possession of their authority : but this did not interrupt his march, since he designed a *new* as well as a *free Parliament*.

While matters were thus carrying on for bringing about the King's restoration, Mr. *David Dickson* and Mr. *Robert Douglass*, in their letter to General *Monk*, dated *Jan. 10, 1660*, signified their entire confidence in him, as to the affairs of *Scotland*, and the necessity of one from them to be near his person, to put him in mind of what should be necessary, and to acquaint them with the state of things from time to time. Accordingly they desired his pass for Mr. *JAMES SHARP*: But before the receipt of this, the General ordered Mr. *Audi-*

Monk's
to Eng-
land.

*Parliam-
ent re-
stored.*

*Monk en-
ters Eng-
land*
Rapid,

Sharp
proposed
to be sent
to Eng-
land.

1660. *for Thomson to write from York to Mr. Sharp, and, in his name, to desire him to undertake a winter journey, and come to him at London with all speed, and on the 17th wrote to Messrs. Dickson and Douglas, assuring them, that the welfare of their church should be a great part of his care, and that he had sent a pass for Mr. Sharp.*

Monk
enters
London.
Rapin.

When the General got to *Harborough*, Commissioners came to him from *London* on the 23d, with an address, to desire the re-admission of the *members secluded* 1648; and as he continued his march, he received many addresses of the like nature; at last he entered the city of *London* in a sort of triumph, on the 3d of *February* 1660. After he had given orders for quartering his troops, he repaired to the Council of State, but was refused admittance, till he had taken *the Oath of Abjuration*, renouncing the King's title to the crown, and engaging to be faithful to the Parliament and Commonwealth.

Aldresses
the Par-
liament.

On the 6th of *February*, he went to the Parliament, where, by the mouth of the speaker, he received the thanks of the House for his many services. He returned the compliment, and told them, among other things, that as he marched from *Scotland*, several applications had been made to him for a *free and full* Parliament, and that they would determine the time of their sitting, and likewise for the admittance of the members *secluded* before the year 1648, without any previous oath or engagement. And, proceeded the General, "I must say, with pardon to you, that the less oaths and engagements are imposed (with respect had to the security of the common cause) your settlement will be the sooner attained to." And after he had recommended the case of *Ireland*, he proceeds, "As for *Scotland*, I must say, the people of that nation deserve to be cherished, and I believe your late declaration will much glad their spirits; for nothing was to them more dreadful, than a fear of being overrun with *fanatick* notions."

Sharp
sent to
London

The same day that *Monk* was conducted to the Parliament, several Ministers met at *Edinburgh*, and agreed

agreed to send up Mr. *Sharp* to take care of the affairs of the church of *Scotland*. His instructions were these: 1660.

I. " You are to use your utmost endeavours, that the kirk of *Scotland* may, without interruption or incroachment, enjoy the freedom and privileges of her established Judicatories, ratified by the laws of the land. 2. Whereas, by the *late toleration*, which is established, a door is opened to very many gross errors and loose practices in this church; you shall therefore use all lawful and prudent means to represent the sinfulness and offensiveness thereof, that it may be * timeously remedied. 3. You are to represent the prejudice the church doth suffer by the interverting of the † vaking stipends, which, by law, were dedicated to pious uses, and seriously endeavour, that hereafter vaking stipends may be intromitted with by *Presbyteries*, and such as shall be warranted by them, and no others, to be disposed of, and applied to pious uses according to the 20th act of the Parliament 1644. 4. You are to endeavour that Ministers lawfully called and admitted by *Presbyteries* to the Ministry, may have the benefit of the 39th act of Parliament intituled, *Act anent abolishing patronages*, for obtaining summarily, upon the act of their admission, decret and letters conform, and other executiorials, to the effect they may get the right and possession of their stipends and other benefits, without any other address or trouble. If you find, that there will be any commission appointed in this nation, for settling and augmenting of Minister's stipends, then you are to use your utmost endeavours to have faithful men, well affected to the interests of Christ and his church, employed therein." These instructions directed to Mr. *James Sharp*, were subscribed by Messrs. *David Dickson*, *Robert Douglass*, *James Wood*, *John Smith*, *George Hutchison* and *Andrew Ker*. On the 13th, Mr. *Sharp* arrived at *London*, met with a kind reception from Mr. *Manton*, and had immediate access to the General, who recommended him to Sir *Anthony Ashley*

with instructions.
Wodrow.

* In due time.

† Vacant.

1660. *Couper* and Mr. *Weaver* two members of Parliament. But instead of following the instructions he received from his constituents, he treacherously betrayed that *very cause* he was sent to promote.

The secluded
members
restored.
Tindal.
note on
Ruin
p. 615.

On the 21st of *February*, *Monk* repaired to *Whitehall* attended by the secluded members, who were mostly *Presbyterians*, having made them previously to subscribe these four articles, 1. To settle the conduct of the armies, so as might best secure the peace of the Commonwealth. 2. To provide for the support of the forces by sea and land, and money for their arrears, and the other contingencies of the government. 3. To constitute a Council of State for the civil-government of *Scotland* and *Ireland*, and to issue out writs for the summoning a Parliament to meet at *Westminster* on the 25th of *April*. And, 4. To consent to their own *dissolution* by a time that should be limited to them. But all this while the General, the better to disguise his real design, still professed himself to be against the *Restoration*.

Historical

When the *secluded* members took their place in the house, they were superior in number to the *rump*, and so carried all before them. They annulled the *engagement* of 1649, — repealed the *Oath of Abjuration* of *Charles Stuart*, — ordered the Earls of *Crawford* and *Lauderdale* to be set at liberty, — agreed to a bill, *March* the 2^d, for approbation of publick Ministers, and named Mr. *Manton*, and several others of the *presbyterian* persuasion, for that service, which passed into an act, *March* the 14th. They declared for the Assembly's *Confession of Faith*, reserving the 30th and 31st chapters for further consideration, declaring it to be the publick *Confession of Faith* of the church of *England*; and the same day ordered the SOLEMN LEAGUE AND COVENANT to be reprinted, and set up in every church in *England*, and read publickly by the Minister once every year. And thus the re-establishment of *Presbytery*, with the SOLEMN LEAGUE AND COVENANT, was judged necessary for bringing in the King. After this, the *long* Parliament passed an act for their own dissolution, and for the calling a *new* Parliament to meet the 25th of *April*; the candidates for which, were to declare

clare under their hands, “ that the war against the late 1660.
 “ King was just and lawful, and that all who had as-
 “ sisted in any war against the Parliament since Jan. 1.
 “ 1641, they and their sons, were made incapable of
 “ being elected, unless they had since manifested their
 “ good affection to the Parliament.” Then they ap-
 pointed a new Council of State, to take care of the go-
 vernment, and on the 16th of March dissolved them-
 selves, after they had sat, with sundry intermissions,
 nineteen years, four months, and thirteen days.

All this time *Sharp* kept up a correspondence with *Sharp's*
 Mr. *Douglass*, and acquainted him with the occurrences *dissimula-*
 of the times, still professing a zealous concern for the *tion.*
 interest of *Presbytery*, and for the *Covenants*. In his
 letter of the 4th of March, he named five, whom he
 called *warping brethren*, and no friends to the *Covenant-*
interest, and that the great fear is, that the King will
 come in, and that with him, *moderate Episcopacy*, at the
 least, will take place in *England*. But the reverend
 Mr. *Douglass*, in his letter to *Sharp* of the 15th, says,
 among other things, “ We know by experience, that
 “ *moderate Episcopacy* (what can it be otherwise than
 “ Bishops with cautions?) is the next step to *episcopal*
 “ *tyranny*, which will appear very soon above-board, if
 “ that ground once be laid, &c.” But though Mr.
Douglass insisted that Commissioners should be sent
 from *Scotland*, yet *Sharp*, in his answer, declared, that
 this would be neither for their reputation nor advantage,
 and in another letter after this, he says, “ I continue in my
 “ opinion that *Scotland* should make no application till
 “ the King come in.” Thus *Sharp* managed affairs.

The elections for the new Parliament, or rather CON-
 VENTION, went generally in favour of the *royalists*, and
 Mr. *Neal* says, that in some places men were chosen,
 who had no religion at all. They sat down on the
 25th of April, and appointed the 30th to be observed as
 a fast. And the next day, the King's DECLARATION from
Breda was read in the house, granting a general pardon
 to all his subjects who should lay hold on it within forty
 days, except such as should be excepted by Parliament,
 and declaring a liberty to tender consciences, and that

The King
invited
home with-
out any
terms.

1660. no man shall be disquieted, or called in question for differences of opinion in matters of religion, which do not disturb the peace of the kingdom. Immediately after reading this declaration, the Commons voted, that according to the antient constitution, the government of this kingdom is, and ought to be by King, Lords and Commons, that the King of *Scotland* is King of *England*, &c. And a Committee was appointed to draw up a dutiful letter, inviting his Majesty to return to his dominions; and a deputation of Lords and Commons was sent to convoy him home. Thus the King was invited back in a hurry, *without any terms*.

Had the *Presbyterians* in *England* exerted themselves, as they might on this occasion, in all probability, the miseries, that afterwards came upon themselves and the whole nation, had been prevented. They had been kept under since 1648, and being about this time shy of the *Independents*, and watchful to keep all republicans out of the Parliament, they secretly courted the *Episcopalians*, says Mr. Neal, who dispersed papers among the people, protesting their resolutions to forget all past injuries, and to bury all rancor, malice and animosities. In short, they put that confidence in them, which afterwards turned out to their own unspeakable disadvantage; nay, the majority of them declared themselves satisfied to yield to a *moderate Episcopacy*, according to the plan of Archbishop *Usher*; but the church of *Scotland* stood to their principles.

Vol. IV.
p. 247.

Synods in
Scotland
meet.
Wodrow.

In *April* and *May*, the provincial Synods met, and there appeared a very good disposition towards making up the differences between the *Resolutioners* and *Protestors*, had not Mr. *Sharp*, by his letters from *London*, diverted this upon the King's return, and put him and the Managers about him upon beginning the persecution, with attacking the *Remonstrators* or *Anti-resolutioners*. But this vile apostate had a private pique against the reverend Mr. *Samuel Rutherford*, Mr. *James Guthrie*, Lord *Waristoun*, and others of the *Protestors*, and therefore put the government upon those measures, we shall afterwards relate, by which all attempts for a reconciliation were rendered abortive, till both were thrown into

1660.

the furnace together. *Sharp* was joined in this by those Noblemen, who could not bear the scriptural strictness of the presbyterian discipline and government.

The Synod of *Lothian* sat down on the 1st of *May*, when Mr. *Douglas* preached an excellent sermon from 2 Cor. iv. 1. where he bore an excellent testimony against *Prelacy*, and warned his brethren against moderate *Episcopacy*; for, says he, "'Tis a plant which God never planted, and the ladder whereby ANTICHRIST mounted his throne;" and further observes, that *kingly-government* in the state, and *presbyterian* in the church are the greatest curbs to profaneness, and so confuted that foolish proposition, *No Bishop, no King*. He likewise bore his testimony against *Seſtarianiſm*, which he compared to *quick-sands* on the shore, which swallow up people before they are aware.

Mr. Dou-
glas's Ser-
mon.
Ibid.

The King was proclaimed at *London* on the 4th of *May*, and at *Edinburgh* on the 14th. Many at this time went to compliment his Majesty; among others *Sharp* was sent, of whom Dr. *Burnet* thus writes, "He carried with him a letter from the Earl of *Glencairn* to *Hyde*, made soon after Earl of *Clarendon*, recommending him as the only person capable to manage the design of setting up *Episcopacy* in *Scotland*: Upon which he was received into great confidence. Yet, as he had observed very carefully the success of *Monk's* solemn protestations against the King, and for a Commonwealth, it seems he was so pleased with the original, that he resolved to copy after it, without letting himself be diverted from it by scruples: For he stuck neither at solemn protestations, both by word of mouth and by letters [of which there is a multitude in Mr. *Wodrow's* introduction] nor at appeals to God, of his Sincerity in acting for the *Presbytery*, both in prayers and on other occasions, joining with these many dreadful imprecations on himself, if he did prevaricate. He was all the while maintained by the *Presbyterians*, as their agent, and continued to give them a constant account of his negotiations in their service, while he was indeed undermining it. This piece of craft was so visible, he

Sharp goes
to the
King.
p. 92.

" having

1660. “ having repeated his protestations to as many persons,
 “ as then grew jealous of him, that when he threw off
 “ the mask, about a year after this, it laid a foundation of
 “ such a character of him, that nothing could ever
 “ bring people to any tolerable thoughts of a man, whose
 “ dissimulation and treachery were so well known, and
 “ of which so many proofs were to be seen under his
 “ own hand.”

Calamy. The King landed at *Dover*, *May* 26, and on *Tuesday* the 29th, rode in triumph with his two brothers through the city of *London* to *Whitehall*, amidst the acclamations of an innumerable croud of spectators. As he passed along, the *London* Ministers in their places attended him with all demonstrations of joy, and by the hands of old Mr. *Arthur Jackson* presented his Majesty with a rich embossed Bible, which he was pleased to receive, and to declare it his resolution to make *THAT book* the rule of his conduct. Thus was his Majesty *restored*; and we shall relate, that he kept this *last* resolution in the *same* manner, that he observed all his other engagements.



THE
HISTORY
OF THE
CHURCH OF SCOTLAND.


CHAP. I.

Of the apprehending of the Marquis of Argyle; the proceedings of the Committee of Estates; the supplication of the Ministers and their imprisonment, and the sufferings of others, to the end of the year 1660.

WHEN King CHARLES II. was restored on the 29th of May 1660, never any Prince came to the possession of such large dominions, with greater advantages, to have done good to himself, to his subjects at home, and to his allies abroad: But he was no sooner placed on the throne, but, through the influence of evil Councillors, and his own effeminate and vicious disposition, he not only abandoned himself to all manner of voluptuous pleasures, but also, in a little time, became a persecutor of those very persons, to whom he was obliged, for being placed on the throne of his ancestors.

1660.
The King's
ingrati-
tude, &c.

The *English* Presbyterians were not long before they felt the dismal effects of their appearance for a monarch, who had no sense of gratitude for their kind services, nor

1660. any regard to his most solemn oaths and engagements.  The Church of *Scotland*, to which he was so much indebted, and for the support and establishment of which, he had entered into *Covenant*, was, in a little time, made to feel the direful consequences of *royal* dissimulation and perjury, though she had an undoubted claim to all manner of favour and protection.

A thanksgiving at Edinburgh.

On the 19th of *June*, a thanksgiving was observed at *Edinburgh* for his Majesty's *Restoration*. When the sermons were over, the Magistrates came to the cross, where was a covered table with sweet-meats, the cross run with wine, &c. In short, the bells rung, the trumpets sounded, and all manner of demonstrations of joy were shewn. But I cannot forbear thinking, that their mirth ran in too *carnal* a strain, and therefore, the saying of the wisest of mere men came to be literally verified, *Even in laughter the heart is sorrowful, and the end of that mirth is heaviness.*

Argyle committed to the Tower.

Soon after the King's return, the noble Marquis of *Argyle* was very much solicited to repair to Court; and no doubt, he was himself inclined to wait on a Prince, on whose head he had placed the crown. But several of his best friends, and particularly Mr. *Robert Douglass*, used many arguments to divert him from his purpose, till matters were come to some settlement, especially as his enemies at *London* had been at pains to raise calumnies on his Lordship's person and conduct. But *Argyle*, being perswaded that he was able to vindicate himself from all aspersions, had he only the honour of being admitted to his Majesty's presence, persisted in his resolution, and arrived at *London* on the 8th of *July*, and went directly to *Whitehall*.

But when the King heard of his being come thither, he, notwithstanding his former promises, (page 45) ordered Sir *William Fleming* to apprehend him, and carry him directly to the tower, where he continued under close confinement till he was sent to *Scotland*. This noble Peer was one of the chief of the COVENANTERS, and had been singularly active in the *Reformation* of his country from the insupportable yoke of *Prelacy*.

From

From the Tower he was conveyed in a *man of war* to *Scotland*, to be tried by the Parliament. They landed at *Leith* on the 20th of *December*, and he was committed to the castle of *Edinburgh* the same day.

1660.

Sent to Scotland.

Sir *John Swinton*, one of the Judges under *Cromwel*, who, from being a zealous professor of the Reformation, turned *Quaker*, and had been apprehended in a *Quaker's* house in *London*, was sent down to *Scotland* with the Marquis.

Swinton apprehended.

While these things were a doing. On the 14th of *July*, orders came down to Major General *Morgan* to secure Sir *James Stuart*, Provost of *Edinburgh*, Sir *Archibald Johnstoun*, of *Waristoun*, and Sir *John Chiesly* of *Cariswell*, who was knighted in the isle of *Wight*, and protested against the death of King *CHARLES I.* The first and last were seized, but *Waristoun* escaped for some time. And therefore he was summoned by sound of trumpet to surrender himself, and the General issued a proclamation for apprehending him, promising 100 pounds *Scots* to any who should do it, and discharging all from concealing or harbouring him under the pain of treason. This was the first arbitrary step; for here is not only a reward offered by a General for apprehending a worthy Gentleman, but declaring it treason for any to harbour him, and that without any cause assigned.

Sir James Stuart and Sir John Chiesly seized.

A proclamation against Waristoun!

On the 26th of *July*, one *William Giffen*, or *Govan*, was apprehended, and committed to the castle of *Edinburgh*, upon a false information, that he had been on the scaffold, when King *CHARLES I.* was beheaded.

His Majesty settled the Ministry in *Scotland*. The Earl of *Middleton* was declared the King's Commissioner for holding the Parliament, and General of the forces that were to be raised. The Earl of *Glencairn* was made Chancellor: The Earl of *Lauderdale* was Secretary of State: The Earl of *Roths* President of the Council: The Earl of *Crawford* was continued in the Treasury. *Primrose* was Clerk Register, which is very like the Master of the Rolls in *England*. The rest depended on these. But *Middleton* and *Lauderdale* were two heads of the parties. Dr. *Burnet* further says, that the Earl of *Middleton* had a private instruction, to try the inclinations of the nation for *Episcopacy*, and to consider

The Ministry in Scotland. Burnet. p. 110.

1660. of the best method for setting it up. And if this be true, we may see, what regard this Prince had for the solemn engagements he had entered into.

Proclamation calling the Committee of Estates.

When the King had leisure to consider the state of *Scotland*, he issued a proclamation, dated at *Whitehall* the 2d of *August*, for the Committee of Estates nominated by him and the Parliament 1651, to meet at *Edinburgh* on the 23d of the said month, for managing the affairs of the kingdom, till the Parliament should meet.

The members of this Committee had all of them appeared hearty professors of the Church of *Scotland*, and had concurred with the King in taking the NATIONAL COVENANT and SOLEMN LEAGUE and COVENANT, and some of them had advised him to make that remarkable declaration at *Dumfermling* in *August* 1650: (p. 43, 44.) So that every one might have expected some good from their administration; but their little finger became heavier than the loins of all the former oppressors, of which they gave a specimen on the very first day of their meeting.

Meeting of Ministers, &c. at Edinburgh.

Thus, upon the 23d of *August*, Mr. *James Guthrie* Minister at *Stirling*, Mr. *John Stirling* and Mr. *Robert Trail*, Ministers at *Edinburgh*, Masters *Alexander Moncrief* at *Scone*, *John Semple* at *Carsphairn*, *Thomas Ramsay* at *Mordingtoun*, *John Scot* at *Oxnam*, *Gilbert Hall* at *Kirklistoun*, *John Murray* at *Melbuen*, *George Nairn* at *Burnt-island*, Ministers, together with Mr. *Andrew Hay* of *Craignethan*, and *James Kirkco* of *Sundirwell*, assembled at a private house in *Edinburgh*, to draw up an humble address and supplication to the King.

Occasion of it.

The occasion of their meeting was this: The opposers of the publick Resolutions, justly suspecting the designs now hatching against the Church, and the conduct of Mr. *Sharp* at *London*, applied to the publick Resolutions either to concur with them in a dutiful address to his Majesty, at such a conjuncture as this, or address him themselves: But they, confiding too much in Mr. *Sharp*, would not comply with either of these; and therefore these faithful men found themselves obliged to do something in such a crisis. Accordingly they met, and

and drew up a humble *supplication* and address, 1660. wherein they declared, “ How hateful the actings of
 “ the late usurping powers were to them, in offering
 “ violence to the Parliament of *England*, in murdering
 “ the late King, in secluding his Majesty from his
 “ government, &c. and above all in their impious en-
 “ croachments upon the kingdom and liberties of Jesus
 “ Christ, — how thankfully they acknowledged
 “ the Lord’s signal preserving his Majesty’s person, —
 “ and in bringing him back after a long exile. —
 “ How it was their sincere purpose and resolution, as it
 “ was their present practice, to pourforth their fervent
 “ desires and supplications for his Majesty, hoping that
 “ he would allow them that protection, countenance
 “ and encouragement, which they had reason to ex-
 “ pect from a gracious King. — What dangers threatn-
 “ ed religion, and the work of Reformation in these
 “ kingdoms, from the designs and endeavours of the
 “ remnant of the *popish, prelatical and malignant* party
 “ therein, — to re-introduce *Prelacy, the Ceremonies*
 “ and the *Service Book*, which were formerly cast out
 “ as inconsistent with that pure and spotless rule of
 “ Church Government, discipline and worship in the
 “ word of God, — and from the endeavours of the
 “ spirit of error, that possesseth the *Scetaries* in these na-
 “ tions, — and therefore with bowed knees and bended
 “ affections they humbly supplicate his Majesty, to
 “ employ his royal power, for the preservation of the
 “ reformed religion in the Church of *Scotland*, in doc-
 “ trine, worship, discipline and government, and
 “ for the reformation of religion in the kingdoms
 “ of *England and Ireland*, — and that all places of trust
 “ under his Majesty might be filled with such as have
 “ taken the *Covenant*, and are of approved integrity
 “ and known affection to the *cause of God*, — and that
 “ his Majesty would be pleased, for removing the be-
 “ ginnings of stumbling, that had already been given,
 “ to remove the *Ceremonies* and *Service Book* from his
 “ own chapel and family, and other places of his
 “ dominions, and give publick signification of his ap-
 “ probation of the *Covenant*, and of his purpose to ad-
 “ here

1660.



“ here unto the same, which they put him in mind
 “ he had formerly done in a most solemn manner, —
 “ for it was the desire of their soul, that his Majesty
 “ may be like unto DAVID, a man according to God’s
 “ own heart, to *Solomon* of an understanding heart to
 “ judge the Lord’s people, &c.” This is the substance
 of their address and supplication, which is at full length
 inserted by *Wodrow*.

Vol. I.

Appen.

N. 2.

Remarks.

P. 112.

This is that, which Bishop *Burnet* calls a *warm* paper, in which he says, after some *cold* compliments to the King upon his *restoration*, they put him in mind of the *Covenant*, &c. But the reader is to judge whether they could well use *sincerer* expressions of loyalty : Did they put him in mind of any thing, but what all honest and faithful subjects ought to have done ? Had not his Majesty *sworn* to every thing, which, in the most respectful manner, they desired ? Was there any thing treasonable, or like a seditious reflecting on his Majesty or on the government of the kingdom of *England*, or the constitution of the present Committee of Estates ?

The Earl of *Glencairn* the Chancellor, and others, being informed of that meeting, sent some persons to apprehend those who were met together. They who were sent, came upon them, when the scrolls and other papers were before them. These papers were nothing but the first draughts of letters to some brethren, desiring another meeting at *Glasgow* in *September* about the *Supplication*, with instructions to some of their number, when they went west with a copy of the *Supplication*, that it might be considered by the Synod of *Glasgow*, in order to their joining with them in it, if they judged it needful.

The Mini-
 sters im-
 prisoned.

When the unfinished scrolls and supplication were read before the Committee, they were directly sent to Court, and all who had been present at the meeting, except Mr. *Hay* of *Craignethan*, who happily escaped, were committed to the castle of *Edinburgh*, without ever calling the Ministers before them, or hearing what they had to say in their own defence. This justly alarmed all the faithful in the land, as it was a prelude to sad days to come, when so much injustice was exercised
 towards

towards those, who were manifesting their love and respect to their Prince, by putting him in mind of his most sacred engagements, and of the duty he owed both to God and his subjects. It is easy to see how grievous this was to the congregations who were now rendered desolate. 1660.

Next day the Committee of Estates published a proclamation against all unlawful and unwarrantable meetings and conventicles, without his Majesty's special authority, and against all seditious petitions and remonstrances, under what pretext soever. But can the reader imagine, that it was unlawful for a small number of Ministers to meet in a private room, when their only design was to congratulate his Majesty, upon his being restored to the throne of his ancestors, and put him in mind of his duty? or that it was a seditious petition and remonstrance, to entreat the King to observe his coronation oath, when he had many about his royal person, that used all their interest to get him to act a part inconsistent with what he had sworn in the presence of God?

The Ministers under confinement agreed upon a petition, and sent it to the Committee: But the Chancellor insisted, that they should acknowledge their fault, in meeting upon the design they did: But they could not, in conscience, comply with this, notwithstanding the Advocate, who had taken the TENDER, and thereby renounced all allegiance to the King, when many of them were suffering for their loyalty, threatened to found a process of treason upon the *Supplication*. And therefore they continued a considerable time in prison, till at last several of them were let out of the castle, but were still confined to their lodgings in *Edinburgh*, till the sitting of the Parliament; and some had only their prison changed: But Mr. *Guthrie* remained in prison, till a glorious Martyrdom set him free.

During the proceedings of the Committee, that vile Sharp apostate *Sharp* came down to *Scotland*, and arrived at *Edinburgh* on the last of *August*, and next day delivered the following letter from his Majesty, directed to Mr.

1660. Mr. *Robert Douglass*, to be communicated to the Presbytery of *Edinburgh*.

CHARLES R.

King's
letter.

“ **T**RUSTY and well beloved, we greet you
 “ well. By the letter you sent to us with this
 “ bearer, Mr. *James Sharp*, and by the account he gave
 “ of the state of our Church there, we have received
 “ full information of your sense of our sufferings, and
 “ of your constant affection and loyalty to our person
 “ and authority : And therefore, we will detain
 “ him here no longer, of whose good services we are
 “ very sensible, nor will we delay to let you know by
 “ him, our gracious acceptance of your address, and
 “ how well we are satisfied with your carriages, and
 “ with the generality of the Ministers of the Church of
 “ *Scotland*, in this time of trial, whilst some, under
 “ specious pretences, swerved from that duty and alle-
 “ giance they owed to us. And because such, who
 “ by the countenance of usurpers, have disturbed the
 “ peace of that our Church, may also labour to create
 “ jealousies in the minds of well meaning people ; we
 “ have thought fit by this to assure you, that, by the
 “ Grace of God, we resolve to discountenance profa-
 “ nity, and all contemnners and opposers of the ordi-
 “ nances of the gospel. We do also resolve to pro-
 “ tect and preserve the government of the Church of
 “ *Scotland*, as it is settled by law, without violation ;
 “ and to countenance, in the due exercise of their
 “ functions, all such Ministers who shall behave them-
 “ selves *dutifully* and *peaceably*, as becomes men of their
 “ calling. We will also take care, that the authority and
 “ acts of the General Assembly at *St. Andrews* and *Dun-*
 “ *dee*, 1651. be owned and stand in force, until we shall
 “ call another General Assembly, (which we purpose to
 “ do, as soon as our affairs will permit) and we do intend
 “ to send for Mr. *Robert Douglass*, and some other
 “ Ministers, that we may speak with them, in what
 “ may farther concern the affairs of that Church ; and as
 “ we are very well satisfied with your resolution, not to
 “ meddle without your sphere, so we do expect that
 “ Church

“ Church Judicatories in *Scotland*, and Ministers there, 1660.
 “ will keep within the compass of their station, meddling
 “ only with matters ecclesiastick, and promoting our
 “ authority and interest with our subjects against
 “ all opposers: And that they will take special notice
 “ of such, who, by preaching, or *private Conventicles*,
 “ or any other way, transgress the limits of their call-
 “ ing, by endeavouring to corrupt the people, or sow
 “ seeds of disaffection to us or our government. This
 “ you shall make known to the several Presbyteries
 “ within that our kingdom: And as we do give assu-
 “ rance of our favour and encouragement to you, and
 “ to all honest deserving Ministers there, so we earnestly
 “ recommend it to you, that you be earnest in your
 “ prayers, publick and private, to almighty God, who
 “ is our rock and our deliverer, both for us, and for
 “ our government, that we may have fresh and con-
 “ stant supplies of his grace, and the right improve-
 “ ment of all his mercies and deliverances, to the ho-
 “ nour of his great name, and the peace, safety, and
 “ benefit of all our kingdoms. And so we bid you
 “ heartily farewell. Given at our Court at *Whitehall*, the
 “ 10th of *August* 1660. and of our reign the 12th year.

By his Majesty's special command.

LAUDERDALE.

This letter seems to have been penned by *Sharp*; and *Remarks.*
 though the expressions in it are calculated to lull all
 asleep, till matters were ripe for a thorough change,
 yet there is in it an *innuendo*, as if some of the Ministers
 had deviated from their duty: but not one of the Ministers
 in *Scotland* had taken the TENDER, as *Sharp* had done,
 nor complied with the measures laid down by *Cromwel*.
 The reader will likewise observe, that this COVENANTED
 King took care not to mention one word of the Cove-
 nants, but only promised to protect the government of
 the Church of *Scotland* as it is settled by law. And as
 for his calling an Assembly, it was never intended, and
 never performed.

However, the Presbytery of *Edinburgh* sent a loyal
 answer to the King's letter, with another to the Earl of

1660. *Lauderdale*. But to return to the proceedings of the Committee.

*Proceed-
ings of the
Committee.*

When the King's letter came down, it rather encreased, than lessened the Committee's proceedings against Gentlemen and Ministers. The brethren for the *publick Resolutions* made too much of it; and those who opposed the *Resolutions* and *protested* against them, were looked upon as rebels and enemies to the King, and therefore many of them were harrassed and imprisoned.

*Several
imprisoned.*


Thus on the 14th of *September*, *John Graham* Provost of *Glasgow*, and *John Spreul* Town Clerk, were imprisoned, by their order, in the Tolbooth of *Edinburgh*, because they were reckoned to favour the *Remonstrance*; and the next day, Mr. *Patrick Gillespie* Principal of the College was made prisoner in the castle of *Edinburgh*, and afterwards sent to *Stirling* castle, where he continued till the Parliament sat down. Mr. *William Wiseheart* and Mr. *Robert Row* were confined to their chambers at *Edinburgh*, but within a few days Mr. *Wiseheart* and Provost *Jaffray* were imprisoned in *Edinburgh* jail; and about the same time the Reverend Mr. *James Guthrie* was sent from *Edinburgh* castle to *Stirling*, where he continued till about the time of his trial.

*Proclamation
against Lex
Rex, and
the Cause
of God's
Wrath.*

On the 19th of *September*, a proclamation was published against two noted books, viz. Mr. *Rutherford's* *LEX REX*, and the *Causes of God's Wrath*, as if they had contained many things injurious to the King, and laid the foundation and seeds of rebellion. But the truth is, the principles maintained in the first were never yet disproved, and the facts in the other were directly contrary to the measures now pursued, and therefore these books were called in and burnt at *Edinburgh* by the common hangman.

*Proclamation
against Re-
monstrants.*

Next day a proclamation was issued against all, whom the Committee were pleased to call *Remonstrants*, and their adherents: By this the most zealous of the Ministers were laid open to prosecution, and many Gentlemen, of the best estates and greatest interest in the nation, who had appeared for the *Reformation* and *Covenants* since the year 1637, and had given the great-
est

est evidences of concern for the Royal Family, were now struck at, and all with a view to *model the Elections* for the ensuing Parliament, to the mind of the court. Accordingly, some were summoned before the Committee, and others confined, that their influence upon elections might be prevented. And if they had any tolerable information against them, with respect to their compliances, in the time of the Usurpation or their inclination to the *Remonstrance* and *Protestation*, they were to sign a bond obliging themselves to do nothing tending to the prejudice of his Majesty's person, family, and authority, — and that they shall not, in any time coming, directly or indirectly own, promote, or abet the *Remonstrance* under the highest pains. 1660. 

On the 10th of October, Sir *Archibald Johnstoun* of *Warristoun*, Col. *Ker*, Col. *Barkclay*, *Jo. Hume*, *Rob. Andrew* of *Little-tarbet*, and *William Dundass* late Supervisor, were declared fugitives by the Committee.

Many Ministers were at this time brought to trouble; particularly, on the 13th of October, Mr. *John Dickson* Minister at *Rutherglen* was imprisoned at *Edinburgh*, upon an information given by Sir *James Hamilton* of *Elistoun*, of some expressions used in a sermon, which as was alledged, reflected on the Government and Committee, and tended to sedition and division. *Ministers imprisoned.* Mr. *James Nasmyth* Minister at *Hamilton*, was imprisoned for words alledged to have been spoken by him many years ago, and Mr. *James Simpson* Minister at *Airth*, when going to settle with a congregation in *Ireland*, was seized at *Port-patrick*, without any cause shewn him. Now it cannot be alledged that these persons suffered for rebellion or treason; for all of them owned the King's authority, and many of them had suffered much for his Majesty, when in exile. After this the Committee adjourned for some days.

On the 1st of November a proclamation was published with much solemnity, for holding a Parliament at *Edinburgh* on the 13th of December following: But the King being engaged in several important affairs at *London*; the affairs of *Scotland* were, for a few days, postponed; but the Earl of *Middleton* his Majesty's high Com-

1660. missionary arrived at *Holyrood-house* on the 31st of December; and by that time, all was ready for business.

I shall close this chapter by observing, that though, in November, *George Campbel* Sheriff-depute of *Argyle* was imprisoned, for being concerned in some things, with the Marquis, yet he was soon pardoned.



CHAP. II.

Of the Acts of the first Session of Parliament, the conduct of the Church Judicatories, the sufferings of the Marquis of Argyle and Mr. James Guthrie, and of several others, to the end of the Session.

1661.

The Parliament meets. Their acts illegal.

WE have had a short view of the arbitrary proceedings of the *Committee of Estates*, by which not a few suffered contrary to law: And therefore, as my author observes, the first step of the managers, was to open a door for a more legal prosecution of honest people, who stood up for religion, liberty and property.

On the 1st of *January* 1661, the Parliament met, and passed many acts, which were illegal and subversive of the Constitution, both in Church and State, as is evident from their being repealed by the very first Parliament after the *Revolution*; for instance, the *Act of Supremacy*, which was one of the great springs of the wicked proceedings of these times, was reversed in the year 1690.

Character of the members. P. 113.

The greatest part of the members of this Parliament were men of a very infamous character. The Commissioner the Earl of *Midleton* was of a fierce and violent temper. Bishop *Burnet* says, "his way of living was most splendid, but at the same time was most scandalous; for vices of all sorts were the open practices of those about him." The Nobility and Gentry were remarkably changed to the worse. Few that had been active in former years, were now alive, and these few were marked out for ruin. Several of the most leading managers had taken a disgust at the strictness of *Presbyterian* discipline: besides great pains had been taken

at the elections, to get *those* chosen, who were entirely at the devotion of the court; and if any of another disposition had been chosen, some pretence or other was given to get the election set aside. 1661.

When they had taken their seats in the Parliament-house, Mr. *Robert Douglass* preached an excellent sermon from 2 Chron. xix. 6. *Take heed what ye do, for you judge not for man, but for the Lord, who is with you in judgment.* After calling the rolls, the Earl of *Glencairn* was chosen Preses, and the Commissioner had a speech recommending peace and unity.

When they entered upon business on the 4th of *January*, the Oath of *Allegiance* was taken by all present, except the Earl of *Cassils*, who had time to advise: But it is to be observed, that according to former unrepealed acts, the *Covenants* were to be taken and subscribed by every member of succeeding Parliaments, (see p. 33, 53.) and therefore this Parliament sat down and proceeded in a method, directly contrary to the uncontroverted statute law. *Oath of Allegiance taken instead of the Covenant.*

On the 8th of *January*, the Commissioner moved, that the Parliament might proceed in business, in the antient way, by the *Lords of the Articles*, without devolving their Power on them, which he declared was not his intention; accordingly after some debate, “It was resolved, that twelve Noblemen, twelve Barons, and twelve Burgeses, with the Officers of State, shall be in the place of the Lords of the Articles. These were authorized, in their several meetings, to hear all matters presented to them, to receive proof of what they found relevant, and report to the Parliament twice a week.” *Lord's of the Articles.* And to these, with the Officers of State, the nation was chiefly indebted for the laws made in this session.

It is very evident, that the main design of this Parliament was no less than to make the King absolute: and this was not a little promoted by the fulsome sermons preached by too many before them. The preachers were not then appointed by the *Assembly* or *Commission*, who used formerly to sit in time of Parliament; the King's Advocate, by his letter, appointed what preachers he pleased. Their ordinary themes were the wickedness of *Flattering preachers.*

1661.

Burnet.

p. 120.

of rebellion, the extensiveness of the King's power, passive Obedience, &c. and Bishop Burnet says, they did not speak out: But they insinuated the necessity of a greater authority, than was then in the Church, for keeping them in order. One or two spoke plainer; upon which the Presbytery of *Edinburgh* went to the Earl of *Middleton* and complained of that, as an affront to the law and the *King's letter*. He dismissed them with good words, but took no notice of their complaints. It will not be amiss now to consider some of the acts made in this session of Parliament, since they laid the foundation for all the injustice and cruelty that were exercised afterwards.

The first printed act is concerning the president and oath of Parliament, by which it is exacted, that all members should, at their first sitting down, take the oath of allegiance in the following form.

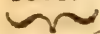
Oath of
Allegiance
and Par-
liament.

I ———— for testification of my faithful obedience to my most gracious and redoubted Sovereign CHARLES King of Great-Britain, France and Ireland, Defender of the Faith, do affirm, testify and declare, by this my solemn Oath, that I acknowledge my said Sovereign only supreme Governour of this kingdom over all persons, and in all causes; and that no foreign Prince, power or state, nor person civil or ecclesiastick, hath any jurisdiction, power or superiority over the same; and therefore I utterly renounce and forsake all foreign jurisdiction, powers and authorities, and shall to my utmost power, defend, assist and maintain his Majesty's jurisdiction foresaid, against all deadly, and never decline his Majesty's power or jurisdiction, as I shall answer to God.

Members of Parliament were to add; and I shall faithfully give my advice and vote in every thing, that shall be propounded in Parliament, as I shall answer to God.

Remarks
upon it.

In the title of the Act this is called an Oath of Parliament, in the body of it, an Oath of Allegiance; but it is evident, that it includes the SUPREMACY. The words are general and very comprehensive, and capable of different senses, when the King is affirmed to be su-
premac



pream over all persons and in all causes, and to be assisted and maintained in that jurisdiction : Here is no limitation or restriction, nor any explication of the meaning of the terms ; for though the Commissioner and Chancellor declared again and again, in the face of the Parliament, that they did not intend to give his Majesty any *ecclesiastical*, but only a civil power, yet in a little time, when Ministers offered to take the Oath in this sense, they were not permitted. And it would seem, these declarations were made from the throne from other views, than at that time appeared ; for when the Earl of *Cassils* and the Laird of *Kilburny* moved, that these declarations might be entered in the registers, it was peremptorily refused. In fine, this Oath came to be the *Shibboleth* of the State, and in a little time was imposed upon all subjects of any influence.

By their 4th Act, they decree, that no *Conventions*, *Other Acts*, *Leagues*, or *Bonds* be made without the Sovereign ; and by the 6th Act, they declare the Convention of Estates *of Par-* 1643, who entered into the *Solemn League and Covenant* void and null. By their 7th Act, they discharge the re- *liament.* newing of the *Solemn League and Covenant*, or of any other *Covenants*, or publick Oaths, concerning the Government of the Church or Kingdom, without his Majesty's special warrant and approbation. By their 11th Act it is ordered, that all persons in publick offices take the Oath of *Allegiance* before mentioned, and subscribe a *declaration* asserting his Majesty's royal prerogative, the substance of which is as follows.

“ Forasmuch as the Estates of Parliament — have — *Instrument*
 “ declared, that it is an inherent privilege,—and an un- *asserting*
 “ doubted part of the royal prerogative of the Kings of *the royal*
 “ this Kingdom, to have the sole choice and appoint- *prerogative.*
 “ ment of the Officers of State, Privy Counsellors and
 “ Lords of Session, that the power of calling, holding
 “ and dissolving Parliaments, and all Conventions and
 “ meetings of the Estates, doth solely reside in the
 “ King's Majesty, his heirs and successors, and that—
 “ no Acts nor Statutes, to be passed in any Parliament,
 “ can be binding on the people, or have the authority
 “ or force of laws, without the special approbation of
 “ his

1661.

“ his Majesty or his Commission. — That the power
 “ of arms, the making peace or war, the making trea-
 “ ties with foreign Princes and States, or at home by
 “ subjects among themselves, doth properly reside in
 “ the King’s Majesty, his heirs and successors, as is
 “ their undoubted right, and *theirs alone*: And that
 “ it is high treason in the subjects of this kingdom, or
 “ any number of them, upon whatsoever ground, to
 “ rise or continue in arms, — without his Majesty’s
 “ authority first interponed thereto. That it is unlawful
 “ for subjects, of whatsoever quality or function, to —
 “ assemble themselves, to treat or determine in any
 “ matters of state, civil or ecclesiastical (except in the
 “ ordinary judgments) or to make Leagues or Bonds —
 “ without his Majesty’s special consent. That the *League*
 “ and *Covenant*, and all the treaties following thereupon, —
 “ are not obligatory in this kingdom, or the subjects
 “ thereof, to meddle or interpose by arms or any other
 “ seditious way, in any thing, concerning the religion and
 “ government of the Churches of *England* and *Ireland*. —
 “ And that none — presume, upon any pretext of any
 “ authority whatsoever, to require the renewing or swear-
 “ ing of the said *League* and *Covenant*, or of any other
 “ *Covenants* or publick Oaths — and that none offer to
 “ renew the same without his Majesty’s special warrant
 “ and approbation, &c. I do, † conform to the Acts
 “ of Parliament aforesaid, declare, that I do, with all
 “ humble duty, acknowledge his Majesty’s royal pre-
 “ rogative, right and power in all the particulars, and
 “ in the manner aforesaid, and that I do heartily give
 “ my consent thereto, by those presents subscribed by
 “ me at ———.”

† Accord-
ing to.

Remarks.

As the *Oath of Allegiance* before mentioned, was in
 itself unlawful, because, to swear *unrestricted* and *unlimited*
 allegiance to any man, is a manifest enslaving of man-
 kind, to a servile obligation, to maintain and uphold the
 persons and government of mutable men, let them act
 as they please; and because, there is in it an acknow-
 ledgment of universal *Supremacy* inherent in the King;
 so this instrument or declaration, asserting the King’s pre-
 rogative, is equally so; for 1. All in publick offices
 hereby

hereby acknowledge an *'absolute and unlimited power to* 1661.
 be in the King. 2. They renounce the *solemn and sa-*
cred Covenants; and 3. They condemn the most inno-
 cent means of seeking redress of grievances; for they
 are to declare it to be *treason for subjects, upon any pre-*
tence, to rise in arms, and unlawful for subjects to assemble
together to treat of any matters of State civil or ecclesi-
astical, without his Majesty's approbation: So that here
 all *defensive* arms are condemned, and none of the Judi-
 catories of the Church are to assemble, but when the
 King pleases; and by this a door was opened to the
 utter overthrow of these Judicatories, seeing the King
 is declared to be the fountain of all Church power.
 And therefore it was no wonder, though many of those,
 who were bound by the *national Covenant and solemn*
League and Covenant, refused to take the *Oath* or sub-
 scribe the *Declaration*; and it is evident, that they who
 suffered for this refusal, can never be said to suffer as
 evil doers, but only for conscience sake.

One might think, that the Parliament had made suf- *The Act*
 ficient progress for one Session, in overturning *rescissory.*
Presbyterian Government and Discipline; but they were de-
 termined to make all sure, and therefore by their 15th
 Act they annulled or reversed all the Parliaments that
 had been held since the year 1633. And thus, at one
 stroke, they took away the greatest human securities
 that could be given to a Church and Nation. Bishop
Burnet, though an enemy to *presbyterial* Government,
 says, " This was a most extravagant act, only fit to
 " be concluded after a drunken bout. It shook all pos-
 " sible security for the future, and laid down a most
 " pernicious precedent." When this *Act RESCISSORY*
 was brought in to the house by the *Lords of the Ar-*
ticles, great debates arose upon it; so that it could not
 be passed that night: However, after great struggle, it
 was carried next day. p. 119.

By their 16th Act, concerning Religion and Govern- *Act con-*
 ment, the true *Protestant reformed Religion* was ordered *cerning re-*
 to be settled, as it was in the days of his Majesty's fa- *ligion and*
 ther and grand-father, and the Government of the *Church*
 Church to be secured *as the King finds most consistent with* *Govern-*
ment.

1661. *scripture, monarchy and peace*: And by this the KING was set at the head of all ecclesiastical affairs; for the Government of the Church was entirely unfixed, and the settlement of it put in the King's power: And tho' *Sessions, Presbyteries* and *Synods* were permitted for a few weeks; yet we shall see, how their liberties were taken from them, and their proceedings violently interrupted, so that expiring *Presbyterian* Government scarcely lived out this year.

29th of May made an anniversary thanksgiving. By their 17th Act, they ordained that the 29th of May be observed as an anniversary thanksgiving, and be forever set apart as an *holy day* unto the Lord, &c. Though many gave obedience to this Act, yet others could not in conscience submit to it, not only because it is not in the power of any, under heaven, to appoint anniversary holy days, that being the prerogative of the Creator alone; but also because, though the day was set apart forever to be kept *holy* to the Lord, yet *diversions* were appointed for spending the day after the publick worship was over.

Patronage Act. And the better to secure the designed model of Church-government, now to take place, by their 36th Act, they restored the heavy grievance of *Patronages*, which they knew had always been a dead weight upon, and inconsistent with *presbyterial* Government. Nay, this Act ordained all, who shall be *presented*, to take the Oath of *Allegiance*, before they were settled, under severe penalties. Instead of making any remarks upon this, I shall only lay before the reader, what was the sentiments of the Parliament of *Scotland* when they abolished *Patronages* 1649. They say, " Considering
 " that *Patronages* and *Presentations* are an evil and
 " bondage, under which the Lord's people and Mini-
 " sters of this land have long groaned, and that it
 " hath no warrant in God's word, but is founded only
 " on the common law, and is a custom popish, and
 " brought into the Kirk in time of ignorance and su-
 " perstition, and that the same is contrary to the 2d
 " book of discipline, in which, upon sound and good
 " grounds, it is reckoned among abuses that are de-
 " fired to be reformed, and unto several acts of General
 " Assembly,

“ Assembly, and that it is prejudicial to the liberty of
 “ the people and planting of Kirks, and unto the free
 “ calling and entry of Ministers unto their charge.—” 1661.
 But this Parliament not only restored Patronages, but
 imposed the Oath of Allegiance and Supremacy on all
 Ministers who should be presented.

Having thus considered some of the most remarkable
 Acts of this Session of Parliament, by which the con- *Conduct of*
 stitution of the Church was overturned, and a founda- *the Mini-*
 tion laid for introducing abjured *Prelacy*, and prose- *sters, &c.*
 cuting all who should oppose the schemes then form-
 ing; it is proper, that we next take a view of the con-
 duct of the Ministers and Judicatories, while these
 things were a doing.

It is too evident, they did not make such a stand
 against these encroachments as they might have done.
 Some indeed, in their private capacity bore an honou-
 rable testimony against the proceedings then carried on,
 but very little was done by *Synods* and *Presbyteries*.
 However, for the honour of those, who made any stand
 for the liberties of the Church, I cannot but give a
 brief account of it.

Mr. *Robert Douglass*, in his sermon at the opening
 of the Parliament, dealt very faithfully with the mem-
 bers, and, in several parts of the country, Ministers
 gave full and faithful warning of the dangers threat-
 ning the Church of *Scotland*, particularly Mr. *McWard*
 at *Glasgow*, and Mr. *William Guthrie* Minister at *Fin-*
wick, in the shire of *Air*, and Mr. *John Livingstoun* Mi-
 nister at *Ancrum*, and not a few Ministers kept congrega-
 tional fasts; but all this time very little was done in
 a *judicative* capacity. Nevertheless, the following ef-
 forts were made, tho' they proved fruitless.

The Parliament having passed several acts subversive
 of the work of Reformation, the brethren in and about *Overtures*
Edinburgh presented several overtures to the Commis- *of the Mi-*
 sioner, namely, that there might be an act of Parlia- *nisters in*
 ment, *explaining the meaning* of the Oath of *Allegiance*, *and about*
 that the Parliament would declare, that they had no *Edin-*
 intention to annul or make void the *Solemn League and* *burgh.*
Covenant, and that they would approve and ratify the

1661. *Confession of Faith and Catechisms, and the Directory for Worship, together with the Discipline, Government and Neglected. Liberties* of this Church. These overtures, the Commissioner and Chancellor promised to communicate to his Majesty, and afterwards return an answer, and at the same time desired the brethren to draw up an act of ratification, as they would have it, and it should be considered. This was accordingly done and given to the Commissioner, but it all came to nothing; for the Ministers were kept in hopes, and got fair words, till matters were past remedy; for instead of this Act of Ratification, the *Act Rescissory* above mentioned, was made and ratified.

Other efforts made by the Ministers.

When the nature of this last Act came to be known, the Presbytery of *Edinburgh* prepared a supplication to the house, and sent it the Commissioner by three of their number; but partly by promises, and partly by threatenings, he prevailed upon them not to give it in that day, and presently the Parliament met, and, in all haste past the Act. Upon which, the Presbytery, next day, sent Mr. *David Dickson* and others to the Commissioner to renew their instances to have their supplication presented to the house, but all to no purpose. After this, they sent their supplication to the King, but it met with no regard: And when they heard of further intentions to alter the Government of the Church, they wrote to the Earl of *Lauderdale*, to interpose with his Majesty, to put a stop to these proceedings, till all things be settled by a free and lawful General Assembly; and in *March* following, they sent up an information to Court, representing, among other things, the inconvenience and sad consequence of a *change* in the Government and Constitution of the Church: But all this was in vain; for the managers were resolved to please the High-fliers in *England*, to follow Mr. *Sharp's* ambitious designs, and to carry their project against all reason and justice.

Proceedings of Synods.

Before the Synods met, which was in *April* and *May*, the Parliament had made great progress in their work.

The Synod of *Glasgow* and *Air* met on the 2d of *April*, and taking the State of the Church under their consider-

1661.

consideration, appointed a Committee to draw up an address and supplication for a new security to religion and the church, when the old fences were taken away. When Mr. *William Guthrie* read from the Committee a draught of an address, some of the *Resolutioners*, especially those who were *gaping after a Bishoprick*, vehemently opposed the Supplication, and threatned to dissent, because they alledged, that now was not *a proper time*; and therefore urged, that this matter might be delayed, and the others yielded, from a consideration that, without harmony and unanimity, their address would lose much of its weight; however, they unanimously agreed upon a declaration of their being fixed in and resolved to adhere to their principles, as to the Doctrine, Worship, Discipline and Government of the Church; but many were justly grieved, that they made no mention of diocesan Episcopacy, nor of the obligation of the *Covenants*. When they were met again at *Glasgow* in *May*, they were discharged by a Proclamation from the *Market-Cross*: and thus they were now deprived of an opportunity of considering their supplication. And though the Ministers in town sent three of their number to *Edinburgh*, with a petition to his Majesty's Commissioner, yet no return was given to it. And this was the last Synod of *Presbyterian* Ministers that met at *Glasgow* before the year 1687.

On the 11th of *April* the Synod of *Perth* and *Stirling* met, and, out of their excessive loyalty, ordered the *remonstrance*, which was drawn up by that Synod 9 Oct. 1650, and afterward presented to the King and Committee of Estates, to be razed out of their records, as containing several things reflecting on his Majesty, and the Estates. I shall only say, that it had been well if there had never been a cause.

The Synod of *Fife* met at *St. Andrews* in *April*, but before they had formally voted their intended petition, and finished the warning they designed to give, they were interrupted by the Earl of *Rothes*, appointed *Inspector* by the Commissioner. His Lordship came in, while they were in the midst of their business, and commanded silence in the King's name, and required, they would insist no more
upon

1661. upon what was before them, but dismiss immediately :
 and accordingly they obeyed, *without protesting* against
 such a plain invasion of the liberties of Christ's house :
 however, the Presbyteries in their bounds, at their first
 meeting, approved of what the Synod could not get
 finished ; and all of them, in a very solemn manner,
 declared their adherence to the principles of the church
 of Scotland.

*The office
 of in-
 spector.*

This new office of *Inspector* of Synods had no act of
 Parliament for its constitution ; and though it had,
 that could not justify it, there being no precedent for
 it in the word of God ; but that was what our mana-
 gers did not consult. They were much vexed, that Sy-
 nods should bear a testimony against their proceedings,
 and therefore *these* were appointed *as Spies* upon them,
 in order to dissolve them, when they determined to pe-
 tition against threatening grievances. But this was the
 same practice, that was used, when *Prelacy* was first in-
 troduced, after the *reformation*, in the time of King
 JAMES VI.

*Synods dis-
 solved.*

Accordingly the Synod of *Dumfries* was dissolved by
Queensbury and *Hartfield*, who were both drunk at that
 very time. The Synod of *Galloway* was dissolved by
 the Earl of *Galloway*, as they were drawing up a sup-
 plication against *Episcopacy* : but the moderator Mr.
John Park faithfully *protested* against what was done,
 as an injury to a court of Jesus Christ, and the Mini-
 sters would not remove, till he had prayed and regu-
 larly concluded their meeting.

*Synod of
 Lothian.*

In the Synod of *Lothian*, they were not suffered so
 much as to speak of any testimony ; nay, some of the
 members, who were ripe for a change, and devoted to
 the interest of the managers, moved that the *Protestors*
 should be censured. While this was in debate, the
 Earl of *Callendar* and Sir *Archibald Stirling* came in, and
 required the Moderator to purge the house of Rebels,
 meaning the *protesting* Ministers, else they would *dissolve*
 them, and make them answer before other Judges.
 Upon this the Synod suspended five Ministers of great
 piety, viz. Mr. *Alexander Livingstone* Minister at *Biggar*,
 Mr. *John Greg* at *Skerling*, Mess. *Arch. Porteous*, and
James.

James Donaldson in the Presbytery of *Biggar*, and *Gil. Hail* Minister at *Kirkliston*. They likewise removed two from their Charges, upon the application of some malignant and disaffected persons in their parishes, viz. *Mr. William Weir* Minister at *Linlithgow*, and *Mr. Will. Creighton* Minister at *Bathgate*. *Mr. Weir*, refusing to deliver up to the Magistrates the church-emoluments and registers, was put into the *thieves hole* by Provost *Glen*. And after being some time in that dungeon, he was carried to a room in the palace, where he was kept six weeks, till, at last, he was forced to make the best terms he could. But notwithstanding all this sinful compliance of the Synod, because the majority would not give into some proposals in favour of *Prelacy*, they were dissolved in the King's name, and forced to dismiss without prayer.

In the northern Synods, the *Protestors* began to feel the oppressions of the times. I can only mention one instance in the Synod of *Ross*, which sat down in the beginning of this year. *Mr. Murdoch M'Kenzie* the Moderator, who had sworn the COVENANTS a great many times, fell in with the designs of the managers, in hopes of the bishoprick of *Murray*. *Mr. Thomas Hog*, Minister at *Kiltearn* in the shire of *Ross* was deposed at this Synod, for refusing judicially to disown and disclaim the *protestation*. At the same time, a motion was made for deposing *Mr. James Frazer* of *Liny* from his office as Ruling Elder, but what was the issue of it I know not.

However, now we may begin to see the dismal consequences of admitting the *malignants* into places of power and trust, and what efforts were made against the encroachments that were now making. It is certain, more might have been done, there being as yet no law against their meetings, or their petitioning for a redress of those grievances that were coming upon them. However, the body of the Ministers was wholly against *Prelacy*. Bishop *Burnet* says, " the Synod of Aberdeen, at which he was present, was the only body that made an address locking towards EPISCOPACY." P. 120.

1661.

It is now proper, that we give an account of what many suffered during this session of Parliament, when we shall find some attacked in their name and reputation, others in their liberties, and others in their lives, such as the noble Marquis of *Argyle*, and the Rev. Mr. *James Guthrie* and Mr. *Govan*.

The Marquis was committed to the castle of *Edinburgh* on the 20th of *December* last year.

Argyle
before the
Parliament.

On the 13th of *February* his Lordship was brought to the bar of the house, where Sir *John Fletcher*, the King's advocate, accused him, in common form, of high treason; and, producing an indictment, craved that it might be read. The Marquis himself begged liberty to speak before that was done: but the house refused his reasonable desire, and ordered it to be read; and though he entreated them to hear a petition he had to present, yet that was too great a favour to be granted.

The indictment, which was more months in forming, than *Argyle* had days allowed at first to bring in his defences, consisted of 14 articles, wherein a heap of slander, perversion of matters of fact, and mis-representations, are collected together against this good and great man. 1. *That he rose in arms against the King's good subjects, the anti-covenanters; and said to Mr. John Stuart, that it was the opinion of many divines, that Kings might be deposed.* 2. *That he marched with an armed force, and burnt the house of Airlie.* 3. *That in 1640 he besieged, and forced his Majesty's castle of Dumbarton to surrender to him.* 4. *That he called, or ordered to be called, the convention of estates 1643, and entered into the solemn League and Covenant with England, levied subsidies from the subjects, and fought against his Majesty's forces.* 5. *That in 1645 he burned the house of Menstrie.* 6. *That in 1646, he, or those under his command, besieged and took the house of Towart and Escoge, and killed a great many gentlemen.* 7. *That he marched to Kintyre, and killed 300 M'Donalds and M'Couls in cold blood, and transported 200 men to the uninhabited isle of Jura, where they perished by famine.* 8. *That he went to London, and agreed to deliver up the*
King

King to the English army at Newcastle, upon the payment of 200,000 l. pretended to be due for the arrears of the army, treasonably raised, 1643. 9. That he protested against the engagement 1648 for relieving his Majesty, raised an army to oppose the Engagers, met with Oliver Cromwell, consented to a letter wrote to him on the 6th of October, and to the instructions given to Sir John Chiesly to the Parliament of England, and in May following signed a warrant for a proclamation against the Lords Ogilvie and Rae, the Marquis of Huntley John now Earl of Middletoun, declaring them, their wives and families, to be out of the protection of the kingdom. 10. That he clogged his Majesty's invitation to the kingdom of Scotland 1649, with many unjust limitations, consented to the murder of the Marquis of Montrose, corresponded with Cromwell, contrived and consented to the act of the West-Kirk 1650, and the Declaration following upon it. 11. That in 1653 and 1654 he abetted or joined with, or furnished arms to the Usurper's forces, against Glencairn and Middletoun, and gave remissions to such as had been in the King's service. 12. That he received a precept from the Usurper of 12,000 l. sterl. consented to the proclamation of Richard Cromwel, accepted a Commission from the shire of Aberdeen, and sat and voted in his pretended Parliament. 13. That he rebuked the Ministers in Argyle, for praying for the King. 14. That he positively advised Cromwel and Ireton in a conference 1648, that they could not be safe, till the King's life was taken away, at least he knew and concealed that horrid design.

After the indictment was read, the Marquis had leave to speak, and discoursed at some considerable length, to exceeding good purpose. The Parliament fixed the 26th of February, for bringing in his defence, which was too short a time, for replying to a charge consisting of so many particulars. However, at his request, they protracted it till the 5th of March, when he appeared before the *Lords of the Articles*, who ordered him immediately to produce his defence; whereupon he made a most moving speech, and gave in a most


1661. affecting petition, remitting himself to the King's mercy, and beseeching the Parliament to intercede for him, which are too long to be inserted here.

Next Day, being brought before the Parliament, it was reported from *the Articles*, that he had offered a submission to his Majesty, with a desire that the Parliament might transmit it to the King; but his submission was voted not to be satisfactory, and he was commanded to give in his defences, next day, to the *Lords of the Articles*. When he came before them, and told that his defences were not as yet ready, he was appointed to give them in on *Monday, April* the 9th, otherwise the Lords would take the whole Business before them, without any regard to what he should afterwards say. But it seems, on the day appointed, his defences were given in, wherein the Marquis's management is vindicated from all the falsehoods, calumnies and misrepresentations in the indictment. My author does not give an abstract of them, because they contain thirteen sheets of small print, but inserts a paper which contains the substance of them, of which I shall give the reader an abbreviat.

Information for my Lord Argyle against the dittay [indictment] given in against him by the King's advocate.

Information for my Lord Argyle.

“ **T**HE Deeds alledged to be done, either before
 “ or since his Majesty left *Scotland*, were either
 “ of a publick or private concern. As for the publick,
 “ he never acted without the approbation of Parliament,
 “ and General Assemblies, which were ratified by their
 “ late and present Majesties. As to particular persons,
 “ he was never accessory to any thing, but what is warranted by acts of Parliament, approved by his Majesty and his royal predecessors. As for actings,
 “ after his Majesty left *Scotland* 1651, the Marquis
 “ was still a prisoner on demand, and did never capitulate till *August* 1652, being surprized in his house,
 “ lying sick, and that long after the Deputies had
 “ taken the TENDER—and all others in arms had capitulated,

“ pitulated, and the whole kingdom was—under the 1661.
 “ power—of the *Usurper*. 

“ The first deed is a speech in 1640—where it is 1.
 “ affirmed, that, he said, it was the opinion both of
 “ divines and lawyers that *a King might be deposed*—
 “ but it is not † relevant to infer any crime, though those † *Suffi-*
 “ words had been spoken in the abstract terms related, *ent.*
 “ no more than if any should speak the tenet of the
 “ *Sorbonne* or *Canon Law*, upon the Pope’s power.—
 “ This deed is 1640, the act of oblivion 1641.

“ The 2d deed is the † slighting the house of *Airlie*. 2.
 “ —It is answered, these houses were kept out in op- † *account-*
 “ position to the Committee of Estates, and so might *ing.*
 “ be destroyed—and the said service had the appro-
 “ bation of Parliament 1641, *rege presente*—the Kin
 “ being present.

“ The 3d deed is the taking the castle of *Dumbar-* 3.
 “ *ton*.—This was done by order of the Committee of
 “ Estates, and before the act of oblivion.—

“ As to the calling of a convention of estates, and 4.
 “ going into *England* with an army.—This was done
 “ by the Conservators of the peace, secret Council, and
 “ Commissioners of publick burthens, appointed by the
 “ King,—and ratified in Parliament since—and was
 “ allowed by the King in his agreement at *Breda*, and
 “ by his act of oblivion 1651.

“ As to the burning of *Menslie* by his command. 5.
 “ He denies any such command: whereas it bears by
 “ men under his command. There is no law to make
 “ that treason, nor is it relevant or reasonable; for
 “ *noxa caput sequitur, & delicta suos tenent authores*.
 “ It was remitted by the act of oblivion 1651. And
 “ General *Bailie* had the command, whose service, in
 “ that expedition, was approved in Parliament 1646.
 “ And though he had done this, he had commission
 “ from the Parliament 1644.

“ As to the taking of *Towart* and *Escoje*, and mur- 6 and 7.
 “ dering a number of men after capitulation. It is
 “ answered, the Marquis was not in the country, but in
 “ *England* at that time. To the murdering of 200 men
 “ after the taking of *Dunavertie*. It is answered, that

1661. " *David Leslie* had the command there, and what was
 " done was by a council of war, and *Leslie's* service was
 " approved by the Parliament 1648.—That my Lord
 " *Argyle* caused take 200 persons from *Ila* to *Jura*,
 " where they perished : this is false ; for he knew no-
 " thing of the matter, nor ever heard of it, till he re-
 " ceived his † dittay.—

† *Indict-
ment.*

8.

" To the giving up of the King at *Newcastle*. It is
 " answered, it was a Parliament deed, and—a Voice
 " in Parliament cannot be censured—But the truth is,
 " my Lord *Argyle* was not in *Scotland*, when the King
 " came to the *Scots* army at *Newark*——neither did the
 " Marquis ever meddle in that affair, but in the Parlia-
 " ment 1647.

9.

" As to the *Protest* in Parliament 1648, calling in
 " the *Seclarian* army, writing to *Cromwel*,——and
 " emitting a Proclamation against certain families. It
 " is answered, that there was no *Protest*, but a *Decla-*
 " *ration*, before the vote, that the *Assembly* ought to be
 " consulted, † anent the *Engagement*.——As for the let-

† *Concern-
ing.*

" ter, no answer can be given till the letter be seen ;
 " and though there was a letter, in the terms libelled,
 " yet it is an act of the Committee ; and as matters
 " went, the army being lost at *Preston*, and the enemy
 " lying on the border, if they had demanded the
 " strengths of the kingdom,——it would not have been
 " refused.—Besides, he never saw *Cromwel* till 1648 ;
 " and he was called in by the Committee, and the
 " Marquis did what he could to stop his career. As to
 " the——Proclamations, nothing can be said till they
 " be produced.——

10.

" To the clogging his Majesty's proclamation, mur-
 " dering *Montrose*, corresponding with *Cromwel*, and
 " his accession to the act of the West-Kirk and *Decla-*
 " *ration*. It is answered, that it was the act of the Parlia-
 " ment then sitting, by which the first allegation was
 " done, and the King acknowledged *that* to be good
 " service, by admitting the Marquis to places of trust,
 " accepting the crown from him.—As to *Montrose*, he
 " had no accession to his death, or the manner of it.
 " —His corresponding with *Cromwel* is false—As to
 " the

“ the *Act* of the *West-Kirk*, the Marquis was at no 1661.
 “ Committee of the kirk, after his Majesty’s happy
 “ arrival, until they came to *Perth*, nor did he know
 “ of it.—As to the *Declaration*—he advised the King to
 “ go as far as he could ; but would not advise him, for
 “ the world, to sign the *Declaration* against his mind—
 “ and desires the Duke of *Buckingham* and the Earl of
 “ *Dumfermling*’s depositions may be taken herein, and
 “ his sacred Majesty consulted as to the truth hereof.

“ To the opposition to *Glencairn* and *Middletoun*, when
 “ appearing for their King, and his joining with the *Eng-* 11.
 “ *lish*.—It is answered that his Commission was never in-
 “ timated to him,—that he sent to *Middletoun*, to have
 “ a conference, but received no answer.—As to joining
 “ the *English* in their expedition to the Hills. He de-
 “ nies any joining with them ; but being a prisoner,
 “ and required to be with them, he durst not refuse,
 “ and denied any kind of acting either by counsel or
 “ deed.—As for taking pay from the *Usurper*, for a
 “ foot-company,—General *Monk* allowed payment for
 “ 100 soldiers, to guard the country, and because they
 “ did not oppose the forces in the Hills, the General
 “ discharged payment.—

“ As to the assisting at RICHARD CROMWEL’S 12.
 “ Proclamation, his receiving a precept of 12,000 *l*.
 “ sterl. and sitting in the parliament of *England*. It
 “ is answered, he was not at all at *Richard*’s Procla-
 “ mation, but by command, indeed, he was at *OLI-*
 “ *VER*’s, but not at *Dumbarton*. Being *Monk*’s priso-
 “ ner, he was commanded to come to the *English*
 “ council, and assist at the Proclamation, and could
 “ not refuse, without having his life and fortune made
 “ a prey. No law can make this a crime, far less
 “ treason ; and it cannot be instructed from any history,
 “ that a people, overcome by an enemy, and com-
 “ manded to do outward deeds of subjection, were
 “ ever questioned by their lawful Prince, when he hath
 “ pardoned the invader ; or that the subject should be
 “ prosecuted for doing, what he, being a prisoner,
 “ could not refuse, without hazarding life and fortune.
 “ The 12,000 *l*. is falsely adduced. The Parliament of
 “ Scotland

661. " Scotland gave the Marquis, in payment of just debts,
 " half of the excise on wine and * strong waters.—
 * Spiritu- " As for his sitting in the Parliament of *England*, after
 ous liquors. " so long an usurpation, no precedent can be shewn, n
 " any age in this country, whereby this was made a
 " crime, far less treason.—
13. " To his forbidding to pray for the King, and the
 " rest of the alledged speeches. It is answered they are
 " false and calumnious. His Parish-Minister and Chap-
 " lain did always pray for the King, in the time li-
 " belled, and that in the face of the *English*.—
14. " The last head: it is basely false, and he opposes thereto
 " the Marquis's oath given in Parliament 1649, and
 " leaves it to all to judge, how unlikely and improba-
 " ble it is, that he would speak any thing contrary to
 " the oath, that he had sworn.

Many
 proofs fail.

From this information, some tolerable view may be had of the defences of this worthy noble Peer. My author declares, that he has it from a very good hand, that upwards of thirty different libels were formed against him, for alledged injuries, oppressions, and the like; but when they went to prove them they all came to nothing, so that after their most diligent search, they were forced to fix upon his necessary compliance with the *English*, after *Scotland* had been obliged to yield to the Conquerors. Bishop *Burnet* says, that, in one speech, excusing his compliance with *Cromwel*, he said, what could he think of that matter, after a man so eminent in the law, as his Majesty's advocate, had taken the *Engagement*? This inflamed the other so much, that he called him an *impudent Villain*, and was not so much as chid for that barbarous treatment. Lord *Argyle* gravely said, *he had learned, in his afflictions, to bear reproaches; but if the Parliament saw no cause to condemn him, he was the less concerned at the King's advocates railing.*

Argyle
 sentenced.

When he was brought to the bar to receive his sentence, on the 25th of *May*, the house was very thin; for all withdrew, except those who were resolved to follow the course of the times. Then he put them in mind of the practice of *Theodosius* the Emperor, who enacted,

that

that the sentence of death should not be executed, till thirty days after it was passed, and added, *I crave but ten, that the King may be acquainted with it.* This was refused; and he was told, that he must receive the Parliament's sentence kneeling: He immediately kneeled and said, *I will in all humility.* Then the sentence was pronounced, "That he was found guilty of high-treason, and adjudged to be execute to the death as a traitor, his head to be severed from his body, at the cross of *Edinburgh*, upon *Monday* the 27th instant, and affixed on the same place, where the Marquis of *Montrose's* head was formerly, and his arms torn before the Parliament and at the cross," Upon this he offered to speak, but the trumpets sounding, he stopped till they had ended, and then said, "I had the honour to set the crown upon the King's head, and now he hastens me to a *better crown* than his own," and, directing himself to the Commissioner and Parliament, he said, "You have the indemnity of an earthly King among your hands, and have denied me a share in that; but you cannot hinder me from the indemnity of the King of Kings; and shortly, you must be before his tribunal. I pray, he mete not out such measure to you, as you have done to me, when you are called to account for all your actings, and *this* among the rest."

His behaviour.

As for his compliance with *Cromwel*, upon which his sentence was grounded, it was so far from being treasonable, that the Advocate himself, and other lawyers, had actually taken the *Engagement*, and many of the members of this Parliament were equally guilty. Was it not therefore strange, that a Parliament should condemn one for a crime, of which so many of themselves were guilty, and that of all the compliers in *Scotland*, not one was prosecuted, but this noble Peer? What law will make *compliance with a conqueror*, for the good and safety of the country, after all means of defence are taken away, an act of treason? It is therefore certain, that the sentence passed against the Marquis was without all warrant of law. But it seems, it was necessary the foundation of *Presby* and of those arbitrary measures

Remarks.

1661. measures that were to be set on foot, should be laid in blood !

*Sent to the
common
prison.*

The Marquis, after his sentence, was ordered to the common prison, where his excellent Lady was waiting for him. Upon seeing her, he said, *They have given me till Monday to be with you, my dear, therefore let us make for it.* She embracing him, wept bitterly, and said, *The Lord will require it, the Lord will require it.* Which drew tears from all in the room. But being himself composed, he said, “ Forbear, forbear, truly I “ pity them, they know not what they are doing ; “ they may shut me in where they please, but they “ cannot shut out God from me. For my own part, “ I am as well content to be here as in the Castle, and “ as content in the Castle as in the Tower of London, “ and as content there as when at liberty ; and I hope “ to be as content upon the scaffold as any of them “ all, &c.”

*His com-
posure.*

*His car-
riage in
prison.*

He spent all his short time till *Monday*, with the greatest serenity and chearfulness, and in the proper exercises of a dying christian. He said to some Ministers, who were permitted to attend him, “ that shortly “ they would envy him, who was got before them ; and “ added, mind that I tell it you : my skill fails me, if “ you who are Ministers will not either suffer much, or “ sin much ; for though you go along with those men “ in part, if you do it not in all things, you are but “ where you were, and so must suffer ; and if you go “ not at all with them, you shall but suffer.” At his own desire, his Lady took her leave of him on *Sabbath* night. On *Monday* morning, though he was much engaged in settling his affairs, and in the midst of company, yet he was so overpowered with a sensible effusion of the joy of the Holy Ghost, that he broke out in a rapture, and said, “ I thought to have concealed the “ Lord’s goodness, but it will not do ; I am now or- “ dering my affairs, and God is sealing my charter to “ a better inheritance, and just now saying to me, *Son,* “ *be of good cheer, thy sins are forgiven thee.*” Some time before he went to the place of execution, he wrote a most moving letter to the King, and dined precisely

at

1661.

at twelve with his friends with the utmost chearfulness, and then retired a little in secret. Upon his opening the door, the Reverend Mr. *Hutchison* said, *What cheer my Lord?* He answered, “ Good cheer, Sir, the Lord hath again confirmed and said to me from heaven, Thy sins be forgiven thee.” Upon this tears of joy flowed in such abundance, that he retired to the window and wept there; from that he came to the fire, and made as if he would stir it a little to conceal his concern, but all would not do, his tears ran down his face, and coming to Mr. *Hutchison*, he said, in a perfect rapture, “ I think, his kindness overcomes me; but God is good to me, that he lets not out too much of it here; for he knows I could not bear it. Get me my cloak, and let us go.” Upon receiving notice to come down, he called for a glass of wine, and *asked a blessing upon it standing*, and in very little said, *Now let us go, and God go with us.*

When he had took leave of those in the room, who were not to be with him on the scaffold, he said, “ I could die like a *Roman*, but chuse rather to die like a *Christian*. Come away, Gentlemen, he that goes first, goes † cleanliest.” When going down stairs, he called the Reverend Mr. *James Guthrie*, who at parting addressed the Marquis thus, “ My Lord, God hath been with you, he is with you, and will be with you; and such is my respect for your Lordship, that if I were not under the sentence of death myself, I could chearfully die for your Lordship.” So they parted, to meet again in a better place, on the *Friday* following. The Marquis was attended by several Noblemen and Gentlemen all in black, mounted the scaffold with the greatest serenity and gravity, like one going to his father’s house, and saluted all that were upon it. Then Mr. *Hutchison* prayed. After that, his Lordship delivered a moving and pertinent speech, with the utmost composure, in which, among other things, he said, “ I was real and cordial in my desires to bring the King home, and in my endeavours for him when he was at home, and had no correspondence with the adversary’s army, nor any of them, when his Majesty was in *Scotland*;

His execution.

† With the clearest conscience: but this does not fully express the sense of this words.

1661. “ nor had I any accession to his late Majesty’s horrid
 “ and execrable murder—— I shall not speak much to
 “ these things, for which I am condemned, lest I seem
 “ to condemn others. It is well known, ’tis only
 “ for *compliance*, which was the epidemical fault of the
 “ nation. I wish the Lord to pardon them: I say no
 “ more: —— We are tied by Covenants to Religion
 “ and Reformation. —— And it passeth the power of
 “ all the Magistrates under heaven, to absolve from the
 “ Oath of God. —— ” When he had delivered his
 Speech, which is recorded in * *Naphtali*, Mr. *James*
Hamilton prayed: After him his Lordship prayed him-
 self, and then took his leave of all his friends on the
 scaffold, and having given the executioner an hand-
 kerchief with some money, and small presents to his
 friends, he went to the instrument, called *the Maiden*,
 kneeled down most chearfully, and after he had prayed
 a little he gave the signal, whereupon his head was
 severed from his body, and then placed on the west
 end of the Tolbooth, as a monument of the Parliament’s
 injustice, and the land’s misery. His body was deliver-
 ed to his friends, and decently interred.

Thus died the noble Marquis of *Argyle*, the Proto-
 martyr for religion after the *Restoration*, who was a
 great promoter and support of the COVENANTED work
 of *Reformation* during his life, and stedfast in wit-
 nessing to it at his death. And thus the hands of these
 Managers were embrued in blood. I am next to re-
 late the martyrdom of the Reverend Mr. *James Guthrie*
 Minister at *Stirling*. We have seen the occasion of his
 being apprehended, and how he was removed from
Edinburgh to *Stirling*. He continued in prison there,
 and at *Dundee*, till, by order of the Parliament, he was
 brought in prisoner to *Edinburgh* to take his trial.

Mr. Gu-
 thrie’s pa-
 rentage
 and cha-
 racter.

Mr. *Guthrie* was son to the Laird of *Guthrie*, a very
 antient and honourable family. He had taught philo-
 sophy in the University of *St. Andrews*, where he gave
 sufficient proof of his being a good Philosopher, and
 an exact scholar. Though Bishop *Burnet* says, he was

* A book entituled *Naphtali*, or the wrestlings of the Church of
Scotland.

a resolute and stiff man, yet my author assures us, that his temper was very stayed and composed, and would reason upon the most controverted points with great solidity, and when every one about him was warm, his temper was never ruffled; and that he had, perhaps, the greatest mixture of fervent zeal and sweet calmness, of any in his time. He was entirely *prelatical* in his judgment, when he first came to St. *Andrews*; but by conversing with the Rev. Mr. *Rutherford* and others, and especially by his joining the weekly societies there, for prayer and conference, he was entirely brought off from that way.

1661.

His conduct in the years 1650 and 1651, (p. 47, 49.) was now remembred: But the real spring of the hard measure this excellent man met with, was the sentence of excommunication, which, by the appointment of the Commission of the General Assembly, he had pronounced against the Earl of *Middletoun* in the year 1650, which *Middletoun* never forgot nor forgave; and his personal resentment abundantly discovered itself in his trial before the Parliament.

In the beginning of the year 1661, Mr. *Guthrie* was brought to *Edinburgh*, and had his indictment given him for High-treason by the King's Advocate. It was read before him in the house on the 20th of February. The heads of it were, 1. "His contriving, consenting to, and exhibiting before the Committee of Estates, the paper called the *Western Remonstrance*. 2. His contriving, writing and publishing that abominable pamphlet called, *The Causes of God's Wrath*. 3. His contriving writing, and subscribing a paper called, *The humble Petition*, of the 23d of August last, when he was apprehended. 4. His convocating of the King's Lieges at several times without warrant or authority, to the disturbance of the peace of the State and of the Church. 5. His declaring his Majesty, by his appeal and protestation, incapable to be judge over him, which he presented at *Pertb*; and 6. Some treasonable expressions he was alledged to have uttered in a meeting 1650 or 1651." The curious reader will find the whole of his indictment and his defences at large in my author's appendix.

His indictment.

1.

2.

3.

4.

5.

6.

V. I.
Numb.
21. B. C.
D.

1661.

His indictment being read, he made an excellent speech to the Parliament, of which I shall insert the following brief extract.

My Lord Chancellor,

*Abstract
of his
Speech.*

“ **I** Being indicted — upon things alledged to be
 “ seditious and treasonable, humbly desire, — that
 “ my Lord Commissioner — will patiently and with-
 “ out interruption hear me, as to a few things, I have
 “ to say for myself. — I am glad, that the *law of God*
 “ is named in the first place ;—I hope your Lordship, in
 “ all your proceedings, will have most respect ~~to~~ *to this*, that
 “ I may be judged by the law of God *especially*, and
 “ by other laws in *subordination* thereto.

“ As to those laws — mentioned in the indictment,
 “ concerning his Majesty’s royal prerogative, — I
 “ hope, — they are to be understood according to the
 “ sense and meaning given by posterior Acts of Par-
 “ liament, — and — by our *solemn publick Vows and*
 “ *Covenants*, contracted with God by his Majesty and
 “ his subjects. — I am first charged, in general, of sun-
 “ dry seditious and treasonable *Remonstrances*, &c. to
 “ which I say, that *generalia non pugnunt*, they can have
 “ no strength in the inferring of a crime or guilt, ex-
 “ cept — they are instanced in particulars.

“ One thing there is in the general charge that I can-
 “ not, and ought not to pass, to wit, that I have se-
 “ ditiously and traiterously purposed *the eradicating and*
 “ *subverting of the fundamental government*, &c. — It is
 “ an unjust charge ; there was never any such purpose
 “ or design in my heart. — As I had never any com-
 “ pliance with the counsels or designs of the late usurp-
 “ ing powers against his Majesty’s royal father, or him-
 “ self, — so there was no part of their ungodly and un-
 “ just actings, but I did, in my station and calling,
 “ bear open and publick testimony against, both by
 “ word and writing. My Lord, — I can hardly re-
 “ frain expressing some grief of spirit” (here he gives an
 account of what he suffered under the usurpation) “ that
 “ notwithstanding all those things, I should now stand
 “ indicted before your Lordships, as intending the
 “ eradicating

1661.

“ eradicating and subverting of the antient civil govern-
 “ ment of this nation. — The God of heaven knows,
 “ that I am free of this charge, and I defy all the world,
 “ allowing me justice and fair proceeding, which I
 “ hope your Lordships will, to make out the same
 “ against me.

“ The first particular wherewith I am charged, —
 “ is, that I did compile and draw up a paper, commonly
 “ called *the Remonstrance*, and presented it, or caused it
 “ to be presented to his Majesty and Committee of
 “ Estates the 22d of *October* 1650. — I never did
 “ compile or contrive that *Remonstrance*, nor did I present
 “ it, or cause it to be presented — then, or at any other
 “ time. I indeed, being a member of the Commission of
 “ the *General Assembly*, when they gave their judgment
 “ upon it, did dissent from their sentence, which cannot
 “ be reckoned any culpable accession thereto, every man
 “ being free, without hazard of punishment, to give his
 “ judgment freely in the Judicature, whereof he is a
 “ member. —

“ The next particular I am charged with, is the
 “ Book of *the Causes of God's Wrath*, especially the 5th
 “ and 6th articles. — But I humbly profess to your
 “ Lordships and this honourable Court of Parliament,—
 “ 1. That the God of heaven is witness, my accession
 “ thereunto did not flow from any disrespect unto, or
 “ dissatisfaction with his Majesty's person or govern-
 “ ment, — but merely and singly, from a con-
 “ straining power of Conscience, to be found faithful,
 “ as a Minister of the Gospel, in the discovering of
 “ sin and guiltiness, that it being taken with, and re-
 “ pent of, wrath might be taken away from the
 “ house of the King, and from these kingdoms. —
 “ Next, my Lord, I wish, it may be seriously ponder-
 “ ed, that nothing is asserted in these *Causes*, as matters
 “ of sin and duty, but what hath been the common
 “ and received doctrine of the Church of Scotland.

“ The 3d particular — is the *Supplication at Edin-*
 “ *burgh, August* the 23d, to which I acknowledge my
 “ accession, but deny it to be treasonable or seditious,
 “ because — it doth contain nothing, but a humble
 “ petition, concerning those things to which his Ma-
 “ jesty,

1661.

- “ jesty, and all the subjects this kingdom are engaged
 “ by the solemn and indispensable Oath of the Cove-
 “ nant, with a sober and serious representation of
 “ the danger that threatens religion. — The indict-
 “ ment is pleased to say, that I charged his Majesty with
 “ *dissimulation* and *perjury*; but there is no such thing
 “ in the *Supplication*, which doth only put him in re-
 “ membrance of holding fast the *Oaths* of the *Covenant*:
4. “ As to what is alledged against the *lawfulness* of
 “ our *meeting* — That meeting cannot fall within
 “ those Acts of Parliament, that strike against unlaw-
 “ ful Conventions; because every meeting for business,
 “ in itself lawful, is agreeable to the word of God and
 “ the laws of the land, and when kept without tumult
 “ and multitude, such as that was, needs no particular
 “ warrant from authority: — yea, such meetings are
 “ clearly exempted from a breach of those Acts of Par-
 “ liament, by a posterior Act of Parliament, *viz. Act*
 “ *29. Parl. 2 Charles I.*
5. “ As to the last particular in my indictment, *viz.*
 “ my *declining* his Majesty’s authority. I confess, I
 “ did decline the Civil Magistrate as a competent judge
 “ of ministerial doctrine in the *first* instance. His au-
 “ thority in all things civil, I do with all my heart ac-
 “ knowledge.—But that the declining of the Civil Ma-
 “ gistrate’s being a judge of Ministers doctrine, in the
 “ first instance, may appear not treason and sedition, but
 “ lawful and warrantable, I humbly offer, 1. That
 “ such *declinature* are agreeable to — God’s word, and
 “ to the Confession of Faith, and Doctrine of this
 “ Church confirmed and ratified in Parliament —
 “ And therefore it hath been the ordinary practice of
 “ this Kirk, in such cases, to use such *declinatures*, since
 “ the time of the *Reformation* from *Poperie*. — 2. Such
 “ *declinatures* are agreeable to, and founded upon the
 “ *National Covenant* and *Solemn League and Covenant*,
 “ by which the King’s Majesty *himself*, and all the
 “ subjects of this kingdom, are bound to maintain the
 “ doctrine, worship, discipline and government of this
 “ Church.—Upon these grounds I did give in, and
 “ do assert *that* declinature for vindicating the crown,
 “ dignity

“dignity and royal prerogative of Jesus Christ: — 1661.
 “But with all due respect to his Majesty, his greatness
 “and authority. {

“As to that Act of Parliament 1584, it was made
 “at a time when the *settled* government of this Church
 “—was *wholly overturned*—and hath been often *repeal-*
 “*ed*— and stands *repealed* now at the down-sitting of
 “this Parliament. It was reversed 1592, — and by
 “the 4th Act Parl. 2d Charles I. — and by the 6th
 “Act Parl. 2d Charles I. —

“The sum of what I have said, I comprise in these
 “two. 1. That I did never purpose, or intend to
 “speak or act any thing disloyal, seditious or treason-
 “able, against his Majesty’s person, authority or go-
 “vernment, God is my witness. — Next — I have
 “founded my speeches, and writings, and actings in
 “those matters on the word of God, and on the doc-
 “trine, confessions of faith, and laws of this Church
 “and kingdom, upon the *National Covenant* of Scot-
 “land, and the *Solemn League and Covenant* between
 “the three kingdoms of *Scotland, England and Ireland*.
 “If these foundations fall, I must fall with them; but
 “if these sustain and stand in judgment, as I hope they
 “will, I cannot acknowledge myself, neither, I hope
 “will his Majesty’s Commissioner, and the honourable
 “Court of Parliament, judge me guilty of sedition and
 “treason, notwithstanding any thing contained in the
 “indictment.”

This pointed and pathetic speech had some influence
 upon several of the members of the house; but his death
 was designed. It was resolved, says Bishop Burnet, to p. 126.
 make a publick example of a preacher, and so he was
 singled out.

On the 11th of *April*, when the process against him *His indict-*
 was read in the house, he immediately delivered a *most found*
 speech, so affecting and close to the purpose, which, *relevant,*
 though it had not that influence, that might have been
 expected, made such impressions upon many of the
 members, that they withdrew, declaring to one ano-
 ther, as they went out of the house, that they would
 have

1661. have nothing to do with the blood of this righteous man: But his judges were determined to proceed, and accordingly, at that very time, his indictment [†] was found relevant. Bishop Burnet says, “ The Earl of Tweeddale was the only man that moved against putting him to death. He said, banishment had been hitherto the severest censure that had been laid on the preachers for their opinions, — yet he was condemned to die,” though the day of his execution was not named, till the 28th of May, when the Parliament ordained “ Mr. James Guthrie and William Giffan or Govan to be hanged at the cross of Edinburgh, Saturday June the 1st, and the head of the first to be affixed on the [†] Nether-bow, his estate to be confiscated, and his arms torn, and the head of the second on the [†] West-port of the city of Edinburgh.” A Gentleman, who was present at the trial, told one of the present Ministers of Aberdeen, that when Mr. Guthrie received his sentence upon his knees, he rose up with cheerfulness, and thus addressed the Parliament, *My Lords, may never this sentence more affect you than it does me, and let never my blood be required of the King's family.*

The iniquity of this sentence is very apparent from his speech, of which I have given a short extract: nay, the King himself was so sensible of his good services to him and his interest, when at the lowest, and of the severity of this sentence, that, when he got notice of it, he asked with some warmth, *And what have you done with Mr. Patrick Gillespie?* It was answered, that Mr. Gillespie had so many friends in the house, his life could not be taken. Well, said the King, *If I had known you would have spared Mr. Gillespie, I would have spared Mr. Guthrie.* But had his Majesty known his true interest, he would have put the management of his affairs into other hands.

His execution. Mr. Guthrie was in a most composed and serene frame all the time between his sentence, and during his execution on the 1st of June. Dr. Burnet, who was present at his execution, observes, that he was so far from shewing any fear, that he rather expressed a contempt

tempt of death, that he spoke an hour upon the ladder, with the composedness of a man that was delivering a sermon, rather than his last words. His last speech and testimony is in *Naphthali*, and there he expresses himself like a true martyr for the cause of Christ; for after he had declared the reasons of his suffering, forgiven his persecutors, mentioned several things that were provoking to God, and bore an honourable and faithful testimony against *Papery*, *Prelacy*, &c. and for the covenanted work of *Reformation*, he said, “ I take God
“ to record upon my soul, I would not exchange this
“ scaffold with the palace or mitre of the greatest *Pre-*
“ *late* in *Britain*. Blessed be God, who hath shewed
“ mercy to such a wretch, and has revealed his Son in
“ me, and made me a Minister of the everlasting gos-
“ pel, and that he hath † deigned, in the midst of † *conde-*
“ much contradiction from Satan and the world, to *scended.*
“ seal my ministry upon the hearts, of not a few of his
“ people, and especially in the station wherein I was
“ last, I mean the congregation and presbytery of *Slir-*
“ *ling*.” He concluded with the words of old *Simcon*,
Now let thy servant depart in peace, since mine eyes have
seen thy salvation.

At the same time was executed the above-mentioned *W. Govan*, in some papers called Captain *Govan*, *van exe-*
who was reckoned a pious, good man. There were *cuted.*
different accounts of the reasons why the Parliament condemned him. In his last speech he says, it was for laying down his arms at *Hamilton*, as all the company did; and takes notice, that he carried up *Montrose's* standard through the streets of *Edinburgh*. It was alledged, that he was present on the scaffold, when King *CHARLES I.* was beheaded, but, to the conviction of all, he proved himself to be elsewhere. His last speech is in my author's appendix. When he went up the ladder, he said, “ Dear friends, pledge this cup²³
“ of suffering before you sin, as I have done; for
“ sin and suffering have been presented to me, and I
“ have chosen the suffering part.” The rope being about his neck, he said, “ Now I am near my last,
“ and I desire to reflect on no man; I would only ac-
Vol. I. P “ quaint

App. N.

1661.



quaint you of one thing ; the Commissioner and I went out to the fields together for one cause ; I have now the cord about my neck, and he is promoted to be his Majesty's Commissioner, yet for a thousand worlds I would not change lots with him, praise and glory be to Christ for ever." After he had again prayed a little, and given the sign, he was turned over. He concluded his last speech with these words : " I bear witness, with my blood, to the persecuted government of this Church, in General Assemblies, Synods and Presbyteries, and also to the *Protestation* against the publick *Resolutions*. I bear witness to the COVENANTS, *National* and *Solemn League*, and now am to seal them with my Blood. I likewise testify against all *Papery*, *Prelacy*, *Idolatry*, *Superstition*, and the *Service-book* : For I have not taken a little pains in searching out those things, and have found them to be but the relics of the *Romish* superstition and idolatry, left in King *Henry VIIIth's* time ; whom tho' it pleased the Lord to make use of, for beginning the work of Reformation, yet he was no good man."


*A strange
accident.*

My author says, it was confidently affirmed, that some weeks after Mr. *Guthrie's* head had been fix'd upon the Nether-bow-port in *Edinburgh*, the Commissioner's coach coming down that way, several drops of blood fell from the head upon the top of the coach, which all their art and diligence could not wipe off ; and that, when physicians were consulted, whether any natural cause could be assigned for such a strange phenomenon, they declared they could think of none. This odd incident beginning to be talk'd of, and all methods being tried in vain to wipe the blood off, at last the leather was removed, and a new cover put on, which indeed was much easier done, than to wipe the guilt of this innocent blood from those who were accessory in shedding it.

*Occurrences
about
this melancholy
time.*

It was a melancholy time when such worthy and eminent persons were put to death, and a certain prelude of sad Days to come. On the 15th the proclamation for keeping the 29th of *May* was published. On the 22d the *Solemn League and Covenant* was by order of two

Houses

Houses of the *English* Parliament burnt, with triumph at 1661. 
London, by the hand of the common hangman; and thus the King's Perjury was published in the face of the sun. The 29th of *May* was observed, with the greatest Solemnity, at *Edinburgh*: But it is well known, that the Church of *Scotland*, since the Reformation, had still vigorously opposed the observation of anniversary holidays, even tho' they were set apart in honour of CHRIST himself, such as *Christmasts* and *Easter*; they could never therefore think of doing that for their King which our *Saviour* did not require to be done for himself. Besides, this was a most dismal Day to *Scotland*, being the triumph of the wicked between the unjust execution of the noble Marquis of *Argyle* and the Reverend Mr. *Guthrie*.

Many worthy Gentlemen suffered greatly during this Session of Parliament, merely for *Compliance*, which every one was obliged to give, during the Usurpation. In *January* the Lairds of *Arkinglass* and *McCondochy* were forfeited. On the 1st of *February* the Indictment against the Lord *Waristoun*, *William Dundas*, and *John Hume* of *Kello* was read in the House, none of them being present. *Waristoun* was forfeited, and his forfeiture was publickly proclaimed at the cross of *Edinburgh* by the Heralds on the 13th of *May*. The Indictment was much to the same purpose with that against the Marquis of *Argyle*. On the 22d of *February* the Laird of *Swinton*, (page 67.) was brought before the Parliament; and, when his Indictment was read, had a very accurate and pointed speech in his own vindication. He was ordered to bring in peremptory defences by the 13th of *March*. Bishop *Burnet* says, "He did, with
 " a sort of eloquence, that moved the whole House,
 " lay out all his own errors, and the ill spirit he was
 " in, when he committed the things that were charged
 " on him, with so tender a sense, that he seemed as one
 " indifferent what they should do with him; and with-
 " out so much as moving for mercy, or even for a de-
 " lay, he did so effectually prevail on them, that they
 " recommended him to the King, as a fit object of his
 " mercy." And according to Mr. *Wodrow*, the Pa-
 pists

*The suffer-
 ings of
 Gentlemen.*

*Waristoun
 forfeited.*

p. 127.

1661. *pists* at court interposed in the *Quaker's* behalf, and he had favour shewn him, tho' he had as great a share in joining with the *Usurper*, as any man in the Kingdom. Such was the partiality of those times ! For little or no favour was shewn to those, who had been active in the *Work of Reformation*, and faithfully adhered to their principles, as appears from the treatment several eminent Ministers and others met with ; which I am now to relate, beginning with those who were apprehended with Mr. *Guthrie* on the 23d of *August* last.

Tho' one or two of them fainted, and, upon making some verbal acknowledgments, were permitted to retire to their own habitations, yet others suffered greatly for their faithfulness, particularly Mr. *Alexander Moncrief* and Mr. *Robert Trail*.

Mr. Mon-
crief.

During the usurpation Mr. *Alexander Moncrief* Minister at *Scoonie* in *Fife*, endured much persecution for his attachment to the Royal Family. He was then hunted as a *partridge upon the mountains*, and suffered imprisonment for praying for the King ; but all the return he had, was to be apprehended, when petitioning according to law. He had his indictment given him about the same time with Mr. *Guthrie*. No solicitations could move him to retract his principles, tho' his life was in danger : And when the Earl of *Atbol* and others told his wife, that it was impossible to save his life, if he did not recede from some things : But this excellent woman answered, “ That they all knew she was happy
“ in a good husband, that she had great affection to
“ him, and *many children* ; yet she knew him to be so
“ stedfast in his principles, where his conscience was
“ concerned, that no body needed to deal with him upon
“ that head ; for her part, before she would contribute
“ any thing that would break his peace with his master,
“ she would rather choose to receive his head at the
“ *Cross*.” However, providence so over-ruled this Affair, that his life was spared ; but then, he was declared to be, for ever, incapable of exercising any public trust, civil or ecclesiastical, and discharged from going to his parish ; and all this for owning his accession to the *Remonstrance* and *Causes of God's Wrath*. Many
were

were the hardships he underwent, and as many the preservations he met with after this, as we shall relate afterwards.

About the beginning of *March*, Mr. *Robert Trail*, Mr. *Robert John Stirling*, and other Ministers, were before the *Lords of the Articles*: But it seems none of them were brought before the Parliament but Mr. *Trail*, who was indicted for High Treason, for being concerned in the *Remonstrance* 1650, in the book of *the Causes of God's Wrath*, in the *Supplication of August* last, and in the imperfect scroll of a letter and instructions, which were found at that meeting.

Mr. *Trail*, as appears from his speech in the House, was one of those who declared against the *Tender*, when imposed in the time of the *Usurpation*, and always endeavoured to keep in mind that great precept, *Fear God, and honour the King*. As to the *Remonstrance*, he told them, " That he was neither at the contriving or presenting of it ; that he was at that time besieged in the Castle of *Edinburgh* by the unjust invaders of the land. — That he run a very great hazard by a dangerous wound he received, in the defence of his King and Country.—As to the book of *the Causes of God's Wrath*, he owned, that he was present at that meeting, when those things were spoke of, and confess'd, and mourned for, and prayed against ; but he could not see, that this was either treasonable or seditious. As to what is said in the book, of closing a treaty with the King, after he had given such evidences of his disaffection, and enmity to the work of God : he said, that he never denied his Majesty's just right and title to these Kingdoms ; but always acknowledged him to be the only righteous heir ; but that he thought, there was not care enough taken, to get him brought off from his prejudices against the work of reformation.—The next article in that book, concerning taking *Malignants* into the Army and Judicatories ; he said, there is nothing asserted there, but what is consonant to the Word of God, and the received doctrine of this Church :—For, if it be a commanded duty, to put into places of trust and power,

— men

1661. “ men fearing God, men of truth and hating covetousness, then the neglect thereof must be a sin, and so a cause of wrath. As to the *Supplication* in *August* last, he said he most chearfully subscribed it, as a testimony of his loyalty to his King, and of his ardent desire to have wrath kept from his throne and dominions, by a humble minding him of the sacred ties of the *Covenant*, and by earnestly supplicating him, to walk according to them, both in his court and family, and in the government of his kingdoms.— As to the imperfect scroll of a letter and instructions found in their meeting, he acknowledged they were intended to be sent to some of their Brethren, in another part of the country, for procuring their subscription to their petition, without the least thought of disloyalty.”

This is the sum and substance of his defence ; from which it plainly appears, how unjustly he and others were at that time charged with Treason. Whether the Parliament passed any sentence against him at this time, my author does not say ; only it appears, that he was in prison after the session was over.

Mr. *John Murray*, Minister at *Metbuen*, who was at the meeting in *August* last, was likewise charged with High Treason ; but what the issue of the process was, is not known.

Mr. Simpson. But the Ministers, who were apprehended in *August* last, were not the only sufferers, during this session ; for Mr. *James Simpson*, Minister at *Airth*, (p. 75.) who had been apprehended at *Portpatrick*, after a copy of his indictment was sent to him to answer in prison, was, by this Parliament, banished the King's Dominions, without being allowed a hearing, or, as far as my author could learn, without so much as being summoned before them. He died in *Holland*, and so had the same fate with the reverend Mr. *Macvaird*, whose singular case I am now briefly to relate.

Mr. Macvaird. Mr. *Robert M'Vaird*, Minister at *Glasgow*, was remarkable for his learning, zeal, and other ministerial abilities. This good man observing the design of the managers, to overturn the whole covenanted work of Reformation, in *February* gave a faithful and seasonable testimony,

testimony, against the glaring defections of the times, in an excellent sermon in the *Tron-church* of *Glasgow*, from *Amos* iii. 2. He concluded his sermon with these words: “As for my own part, as a poor member of this Church of *Scotland*, and an unworthy Minister in it, I do this day call you, who are the people of God, to witness, that I humbly offer my *dissent* to all acts, which are or shall be pass’d against the *Covenants*, and work of Reformation in *Scotland*: And, 2. *Protest*, that I am desirous to be free of the guilt thereof, and pray, that God may put it upon record in heaven.” This sermon, especially this conclusion of it, made great noise, and therefore he was brought into *Edinburgh* under a guard, and committed to prison, and soon after, had an indictment given him by his Majesty’s Advocate, for sedition, and treasonable preaching.

1661.

When he was before the Parliament, *June* 6th, he delivered himself with great eloquence and judgment, as his very enemies acknowledged; and, among other things, said:—“I humbly desire it may be considered, that a ministerial *Protestation* against, or *Dissent* from any acts, or act, which a Minister knows, and is convinced to be contrary to the word of God, is not a legal impugnation of that or those acts, much less of the authority enacting them, which it doth rather presuppose, than deny or impugn; but, it is a solemn and serious attested declaration, or witness and testimony against the evil and iniquity of these things; which, by the word of God, is a warrantable practice, and here, and at this time, a necessary duty: And for which way of *protesting*, or testifying, or witnessing, a Minister hath the *Prophets* a pattern for his imitation, as is clear, 1 *Sam.* viii. 9. *Howbeit*, yet protest solemnly unto them, and shew them the manner of the King that shall reign over them. Where the Lord, to signify his great resentment and dislike at the people’s course and carriage towards him, commands the Prophet, in his name, to *protest* against their procedure. *Howbeit*, yet protest solemnly unto them (saith he) or as the words are rendered on the margin of our *Bible*, notwithstanding, when thou hast protested solemnly against them,

Extract of
his Speech.

1661.

“ *them, &c.* which reading seems best to agree, both
 “ with the scope, and what is said *ver. 19.* It is clear
 “ also *Jerem. xi. 7.* when the Lord sums up all his se-
 “ rious exhortations, to obey his voice, and all his sharp
 “ expostulations, for not obeying his voice, and keep-
 “ ing his *Covenant* in this very term of *PROTESTING*
 “ earnestly ; *For I earnestly protested unto your fathers*
 “ *in the day, &c. rising up early and protesting, saying,*
 “ *obey my voice.* So that my *protestation*, testimony and
 “ dissent, not being without a precedent practice in the
 “ prophets, and so not without divine precept, cannot
 “ be called, nor ought to be accounted a contraven-
 “ tion of the acts libelled in the indictment ; neither
 “ can I, for *this*, come under the lash of the law, un-
 “ less it be said and asserted, which I know will be de-
 “ nied with abhorrence and detestation, that these acts
 “ do discharge, under pain of treason, what God the
 “ supreme lawgiver commands his servants to do,
 “ under pain of *his* displeasure, as they would not, by
 “ their unfaithful silence, lose their own, and betray
 “ the souls of others ; so that, take the word *protesting*,
 “ in the scripture sense, for *solemn declaring and witnessing*
 “ against sin, and for duty, in which sense alone I take
 “ it, it will not be liable to any just exception, — there
 “ being nothing more frequent in the word than such
 “ *protesting*, declaring and witnessing against sin and for
 “ duty. — And besides, it will not a little contribute,
 “ to remove what matter of offence is taken at the man-
 “ ner of my testimony, because in the term of *dissenting*
 “ and *protesting*, if it be considered, that all the reformed
 “ Churches of Christ this day have their † *denomination*
 “ and *distinction* from the Church of *Rome*, from a so-
 “ lemn publick *PROTESTATION* against the decree
 “ which was made by *CHARLES V.* and the Estates
 “ of the Empire at — *anno* — in prejudice to Re-
 “ ligion and Reformation, though I do not plead a
 “ perfect paralel between *this* and *that*.

† *Protes-
tants.*

“ As the matter of my *Protestation*, — My prac-
 “ tice seems neither contrary to reason nor religion,
 “ but consonant to both ; it being commonly taken as
 “ a principle, rather than tossed as a problem, that,

“ where

1661.



“ where there is a *jus quæsitum Domino*, it is competent,
 “ incumbent and necessary for the servant and ambaf-
 “ fador, in the behalf and interest of his Lord and Ma-
 “ ster, to dissent from, and *protest* against, all acts made
 “ to the prejudice of *that right*. But so it is, that there
 “ was a *right* acquired to the LORD my Master,
 “ whose servant and ambassador I am, though most un-
 “ worthy, to wit, the *Confirmation civil*, of those Co-
 “ venants and vows, made to and with HIM for re-
 “ formation in this Church, according to his will, re-
 “ vealed in his word, and the *Obligation Civil* of the
 “ lieges thereunto, by the interposition of *Civil Au-*
 “ *thority*: Therefore, I humbly conceive, that as a
 “ right cannot, at least, ought not to be taken away,
 “ in prejudice to a third party, so, far less, in things
 “ concerning the LORD and his interests; the publick
 “ faith of the kingdom being engaged to GOD to pro-
 “ mote and secure *that*: So that in this case, for me to
 “ have *protested* for my master’s interests, to whom there
 “ was a *civil* right made, and to dissent from all acts
 “ prejudicial to the same, will, I hope, be thought to
 “ be the duty of *the man* who desires to approve him-
 “ self to God, and who expects, in the day of his ac-
 “ counts, the approbation of *Well done, good and faith-*
 “ *ful servant*.——

Mr. *Sharp* and his friends resolved now to be rid, as *He is ban-*
 much as possible, of the most eminent of the *Presby-* *nished.*
terian Ministers, and therefore Mr. *McVaird* was banish-
 ed; however, he was allowed to continue six months
 in the nation, one of which only in *Glasgow*, and had
 power given him, to receive the following years stipend
 at his departure. Accordingly he submitted to the
 sentence, and transported himself and family to *Roter-*
dam; where, upon the death of the Reverend Mr. *A-*
lexander Petrie, (the author of a compendious history of
 the Catholick Church from the year 600 to 1600,
 printed at the *Hague* 1662) he became Minister of the
Scots congregation there, and died about 20 years after
 this, having been eminently useful in his day and ge-
 neration.

1661.



Mr. Pat.
Gillespie.

Thus the Acts of this Parliament were sealed with blood, and with the many tears of numbers, who had their beloved pastors violently taken from them and banished into foreign countries, and that merely for the testimony of a good conscience. But, that the reader may have another proof of the partiality of this Parliament, I cannot omit the case of Mr. *Patrick Gillespie*.

He was first Minister in the town, and Principal of the College of *Glasgow*, a man of great learning, solidity and piety. It is plain, that he made great compliances with *Cromwel* during the *Usurpation*: And therefore we need not be surpris'd, that he was prosecuted by the present managers, when so many, who had firmly adhered to the King's interest, were so ungratefully used. Besides, he was against the *Publick Resolutions*, and had no small share in the *Western Remonstrance*. We took notice of his imprisonment last year. (page 74.) On the 6th of *March* this year, he was brought before the Parliament, and his indictment was read, containing his compiling and subscribing the *Western Remonstrance*, his consenting to the Pamphlet called, *The Causes of God's Wrath*, his constant correspondence with *Cromwel*, &c. But he had friends in the house, and favour was shewn him: It must indeed be owned, that he sadly departed from his former testimony; for he acknowledged, " he had given offence " to his Majesty by the *Remonstrance*, and otherwise, " which he now was sorry for, and did disclaim, and " therefore cast himself upon the King's mercy, &c." The Parliament, upon this, interceded for him, and, in a little time, he was taken out of prison, but confined to *Ormistoun* and six miles round it. His acknowledgment gave just offence to many, who looked upon this acknowledgement, as an instance of great fainting, in a person of his forwardness, zeal and activity in former years.

The Parliament rose on the 12th of *July*, after which, the management of affairs was lodged in the hands of the COUNCIL. On the last day of *July* their Acts were proclaimed with great solemnity, at the cross of *Edinburgh*;

burgh; and it took from eleven in the forenoon to six at night, to perform this. During all this Session, there was not the least motion made for an *Act of Indemnity*. The secret of this was, according to Bishop *Burnet*, that since diocesan *Episcopacy* was to be set up, and that those, who were most like to oppose it, were, on other accounts, obnoxious, it was thought best to keep them under that fear, till the change should be made. I shall conclude this chapter with some account of the great Mr. *Rutherford*, who died about the end of *March* this year, and may very justly come in among the sufferers, during this session of Parliament; for he was certainly a martyr in his own resolution, and in the *design* of the managers.

This pious and learned, diligent and faithful Minister of Christ, was a Gentleman by extraction, and gave early proofs of his great abilities; for, when he was very young, he was pitched upon for a profession of philosophy by the college of *Edinburgh*, where he was educated. From thence he was called to the ministry at *Anwoth*, and entered on that charge, by means of that worthy Nobleman the Viscount of *Kennure*, without coming under any engagement to the Prelate. There he laboured with great diligence, and much success, and there he wrote his *Exercitationes Apologeticae*.

The Prelates were so found in the faith, as to challenge and accuse him for writing *that* book, and so zealous against sin, as to find fault with him for preaching against the sins of the land. He was summoned before their *Highb Commission Court* 1636; and, upon declining its authority, as none of the Courts of Christ, was deposed from his ministry and sent prisoner to *Aberdeen*; where, says my author, the Doctors found, to their confusion, that the *Puritans* were Clergymen, as well as they. It was from thence that he wrote many of his admirable letters to his friends.

Upon the great turn of affairs 1638, he was restored to his former charge at *Anwoth*, and soon after appointed Professor of Divinity at *St. Andrews* by the General Assembly. He was likewise called to be colleague in the ministry with the worthy Mr. *Blair*. And by the

1661.

P. 128.

Account of
Mr. Ru-
therford.
Pref. to
his letters.
P. 15, 16.

1661. indefatigable pains of Mr. *Rutherford*, both in teaching in the schools, and preaching in the congregation, *St. Andrews*, the seat of the Archbishop, and so the nursery of all superstition, error and profaneness, soon became, as my author expresses it, a *Lebanon*, out of which were taken, *Cedars for building the house of God through the whole land.*

Netheni
præs. ad
examen
Arminia-
nismi.

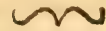
He was one of the Commissioners sent by the General Assembly of the Church of *Scotland* to the Assembly of Divines at *Westminster*, where he was held in great reputation. In the year 1651, upon the death of the learned Mr. *Dematius*, the Magistrates of *Utrecht* being abundantly satisfied, as to the learning, piety and zeal of this great man, invited him to the Divinity Chair there. But he chose rather to suffer affliction in his own country, than to leave his flock and charge in time of danger. And therefore he continued at home till the day of his death.

The Parliament this year 1661, were to have an indictment laid before them against this eminent person; for, after his book *Lex Rex* had been ordered to be burnt at the cross of *Edinburgh*, (p. 74.) and at the gate of the new College of *St. Andrews*, where he was Divinity Professor, they most barbarously ordered him to be summoned before them, to answer to a charge of High Treason, though every body knew he was then in a dying condition: but, says Mr. *Wodrow*, he had a higher tribunal to appear before, where his judge was his friend.

P. Walker
p. 171.

It is said, that when the Parliament heard he was dying, they put it to the vote whether they should suffer him to die *in the college*. It carried *to turn him out*. Upon which Lord *Burleigh* said, *you have voted that honest man out of the college, but ye cannot vote him out of heaven*. Some replied, *he would never get there, hell was too good for him*. *Burleigh* answered, *I wish I was as sure of heaven as he is, I would reckon myself happy to get a grip [hold] of his sieve to haul me in when he enters the gates*. Accordingly he died on the 29th of *March*, the very day before the *Act rescissory* was passed, and so was taken away from the evil to come.

Some

Some of his last words are these, " I shall shine, I 1661.
 " shall see him as he is, and all the fair company with
 " him, and shall have my large share. It is no easy 
 " thing to be a Christian : but as for me, I have got ^{Fleming's}
 " the victory, and Christ is holding forth his arms ^{fulfilling}
 " to embrace me. I have had my fears and faintings, ^{of the}
 " as another sinful man, to be carried through credita- ^{script. fol.}
 " bly ; but as sure as ever he spoke to me in his word, ^{edit. p.}
 " his spirit witnessed to my heart, saying *fear not*, he ^{187.}
 " hath accepted my suffering, and the out-gate should
 " not be matter of prayer but of praise." He said also,
 " thy word was found, and I did eat it, and it was to
 " me the joy and rejoicing of my heart." A little be-
 fore his death, after some fainting, he said, " now I † *Gate.*
 " feel, I believe, I enjoy, I rejoice." Turning to his
 colleague Mr. *Blair*, he said, " I feed on *Manna*, I have
 " angels food, mine eyes shall see my Redeemer. I
 " know that he shall stand, at the latter day, upon the
 " earth, and I shall be caught up in the clouds, to
 " meet him in the air." Afterwards he had these
 words, " I sleep in Christ, and when I awake, I shall
 " be satisfied with his likeness. O for arms to embrace
 " him !" And to one speaking of his painfulness in the
 ministry, he cried out, " I disclaim all, the † port I
 " would be in at, is redemption and forgiveness of sins
 " through his blood. His last words of all were,
 " Glory, glory dwelleth in *Emanuel's* land. He re-
 greted, when near his end, that he had not the honour
 of giving a publick testimony to the work of Reforma-
 tion, since the year 1638, and against the lamentable
 defections of the present times.

Thus lived, and thus died the great Mr. RUTHER-
 FORD. He lived a life of communion with God, and
 he died in full assurance. The letters, which he left
 behind him, discover what manner of spirit he was of ;
 and however they are the ridicule of the graceless and
 profane, like pearls before swine, yet they breathe an un-
 common spirit of piety and seraphick love to his Lord
 and Master, and are as much calculated, as any thing I
 know, for the support, encouragement and comfort of
 serious Christians, under their forest afflictions.

C H A P. III.

Of the proceedings of the Council and the regal erection of Prelacy, together with the sufferings of Gentlemen and Ministers during the rest of the year.

1661.
The Privy
Council
meet.

THE day after the Parliament rose, his Majesty's Privy Council met at *Holyrood-house*. The following is a list of them. The Earl of *Glencairn* Chancellor, Earl of *Crawford* Treasurer, Earl of *Rothes* President of the Council, the Dukes of *Lennox* and *Hamilton*, the Marquis of *Montrose*, Earls *Lauderdale* Secretary, *Errol*, *Marshall*, *Mar*, *Atbole*, *Mortoun*, *Eglington*, *Cassils*, *Caithness*, *Murray*, *Linlithgow*, *Hume*, *Perth*, *Dumfermling*, *Wigtoun*, *Kelly*, *Roxburgh*, *Haddingtoun*, *Tullibardin*, *Weems*, *Southesk*, *Hartfield*, *Callender*, *Tweeddale*, *Middleton*, *Dundee*, *Newburgh*. Lords *Sinclair*, *Halkertoun*, *Duffus*, Sir *Archib. Primrose*, Sir *John Fletcher*, Sir *Will. Bannantyne*, Sir *Robert Murray*, Sir *John Gilmore* of *Craigmillar*, Sir *Will. Fleming*, Laird of *Ley*, Laird of *Blackball*, Sir *John Wauchop* of *Niddrie Knt.* *Gibson* of *Durie*, Sir *Geo. Kinnaird* of *Rosse*, *Alex. Bruce* brother to the Earl of *Kincardin*, Sir *Will. Scot* of *Airdrie*. After the publick reading of their Commission, and their powers, all present took the Oath of *Allegiance*, formerly mentioned, and then the Oath of Council. They had now the whole executive power in their hands, and accordingly at their first meeting, they ordered the citadels built by the *English*, during the *Usurpation*, to be demolished.

But as the point of the greatest importance, at that time, was the getting *Prelacy* established in *Scotland*, so I shall first give some account of that matter.

We have seen how the Parliament by their 16th Act, put the whole power, as to Church affairs, into the King's hands, by which he was to settle the *ecclesiastical* government, as HE thought most proper. But then the Parliament had, by no act, as yet established *Prelacy*,

lacy, which, consequently, does not appear to have any proper parliamentary settlement in *Scotland*, but to be brought in by a mere act of the King's prerogative, as we shall presently see. 1661.

When the Parliament was up, *Middletoun* and the courtiers repaired with all speed to *London*. And when they had the government of the Church of *Scotland* under their consideration, the Commissioner and Chancellor were strenuously for BISHOPS. *Lauderdale*, *Crawford* and the Duke of *Hamilton*, for some time opposed them. “The Earl of *Middleton*, says *Burnet*, assured the King, that *Episcopacy* was desired by the greater and honefter part of the nation. One Synod had as good as petitioned for it: And many others wished for it; though the share they had in the late wars, made them think, it was not fit or decent for them to move for it. *Sharp* assured the King, that none but the *Protestors*, of whom he had a very bad opinion, were against it: And that of the *Resolutioners*, there would not be found twenty that would oppose it. — The Earl of *Lauderdale* and all his friends, on the other hand, assured the King, that the national prejudice against it was still very strong, that those who seemed zealous for it, ran into it, only as a method to procure favour, but that those, who were against it, would be found stiff and eager in their opposition to it; that by setting it up, the King would lose the affections of the nation, and that the supporting it would grow a heavy load on his government;” which indeed came to pass. The Bishop further observes, p. 131. “that upon all this diversity of opinion, the thing was proposed in a *Scots* Council at *Whitehall*. The Earl of *Crawford* declared himself against it: But the Earl of *Lauderdale*, Duke *Hamilton* and Sir *Robert Murray* were only for delaying, till the King should be better satisfied concerning the inclinations of the nation. All the rest were for the change.”

These debates are said to have lasted for some days, and that here the foundation of discord was laid between *Middletoun* and *Lauderdale*, which issued in the ruin of the former. A little after, the Chancellor, in a conversation with *Lauderdale*, desired him not to mistake his

Debates at Court about Episcopacy.

p. 132.

The result of these Debates.

1661.

his conduct in that affair; for he was not for LORDLY Prelates, such as had been formerly in Scotland, but only for a limited, sober and moderate Episcopacy, to which Lauderdale is said to have replied, “ My Lord, since “ you are for Bishops, and must have them, Bishops “ you shall have, and higher than ever they were in “ Scotland, and that you shall find.” It being thus agreed to alter the government of the Church of Scotland, a letter was sent from his Majesty to the Privy Council there, declaring his royal pleasure to have Episcopacy established in this antient kingdom. He did not demand their advice upon it, says Bishop Burnet, but even required their obedience to it, as appears from the letter itself, which is as follows :

CHARLES R.

The King's
Letter.

“ R I G H T trusty and well beloved Cousins and
“ Counsellors, We greet you well. Whereas in
“ the month of August 1660, We did, by our letter
“ to the Presbytery of Edinburgh, declare our purpose
“ to maintain the government of the Church of Scot-
“ land settled by law; and our Parliament, having since
“ that time, not only rescinded all the acts since the
“ troubles began, referring to that government; but
“ also declared all those pretended Parliaments null
“ and void; and left to us the settling and securing of
“ Church-government; therefore, in compliance with
“ that Act rescissory, according to our late proclama-
“ tion dated at Whitehall the 10th of June, and in
“ contemplation of the inconveniences from the Church-
“ government, as it hath been exercised these twenty
“ three years past, of the unsuitableness thereof to our
“ monarchical Estate, of the sadly experienced confu-
“ sions, which have been caused during the late trou-
“ bles, by the violences done to our royal prerogative,
“ and to the government, civil and ecclesiastical, settled
“ by unquestionable authority, we from our respect to
“ the glory of God, and the good, and interest of the pro-
“ testant religion, from our pious care and princely zeal
“ for the order, unity, peace and stability of that
“ Church, and its better harmony with the government
of

“ of the Churches of *England* and *Ireland*, have, after 1661.
 “ mature deliberation, declared to those of our Council
 “ here, our firm resolution to interpose our royal au-
 “ thority, for restoring of that Church to its right go-
 “ vernment by Bishops, as it was *by law*, before the late
 “ troubles, during the reigns of our royal father and
 “ grandfather of *bleſſed memory*, and as it *now ſtands*
 “ *ſettled by law*. Of this our royal pleaſure concerning
 “ Church-government, you are to take notice, and to
 “ make intimation thereof, in ſuch a way and manner
 “ as you ſhall judge moſt expedient and *effectual*. And
 “ we *require* you and every one of you, and do expect,
 “ according to the truſt and confidence we have in
 “ your affections and duty to our ſervice, that you will
 “ be careful, to uſe your beſt endeavours for curing the
 “ diſtempers contracted during thoſe late evil times,
 “ for uniting our good ſubjects among themſelves,
 “ and bringing them all to a chearful acquieſcing and
 “ obedience to our ſovereign authority, which we will
 “ employ, by the help of God, for the maintaining and
 “ defending the true reformed religion, increaſe of piety,
 “ and the ſettlement and ſecurity of that Church, in her
 “ rights and liberties, *according to law*, and antient
 “ cuſtom. And in order thereto, our will is, that you,
 “ forthwith, take ſuch courſe with the rents belonging
 “ to the ſeveral Biſhopricks and Deanries, that they may
 “ be reſtored and made uſeful to the Church, and that
 “ according to juſtice and the *ſtanding law*. And more-
 “ over, you are to inhibit the aſſembling of Miniſters in
 “ their ſeveral *ſynodical* meetings through the kingdom,
 “ until our further pleaſure, and to keep a watchful
 “ eye over all, who, upon any pretext whatſoever, ſhall,
 “ by diſcourſing, preaching, reviling, or any irregular
 “ or unlawful way, endeavour to alienate the affections
 “ of our people, or diſpoſe them to an ill opinion of us,
 “ and our government, to the diſturbance of the peace
 “ of the kingdom. So expecting your chearful obe-
 “ dience, and a ſpeedy account of your proceedings
 “ herein, we bid you heartily farewel. Given at our
 “ Court at *Whitehall*, *Auguſt* the 14th 1661, and of
 VOL, I. R “ our

1661. " our reign the 13th year. By his Majesty's com-
 mand.

LAUDERDALE.

On the last of *August* the Earls of *Glencairn* and *Rothes*, with Mr. *Sharp*, returned from court ; and, next council-day, *September* 5th, the Lord Chancellor presented his Majesty's letter, which being read, the clerk was ordered to draw up *an act* in obedience thereunto, to be proclaimed and made known to all the lieges. Accordingly next day the draught was presented and approved of, and proclaimed over the cross with great solemnity by the *Lyon King at arms*, with all the trumpets, and the Magistrates of *Edinburgh* in their robes. This act of Council is the echo of his Majesty's letter. The Council, the same day, ordered a just copy of their act and proclamation to be transmitted to the King ; for which his Majesty returned them his thanks. And thus *PRELACY* was again brought into *Scotland*, from which I cannot but make the following remarks.

Remarks.

As his Majesty's letter, and the council's act and proclamation in consequence of it, was the foundation upon which *Prelacy* was, at this time, established, so it is apparent, 1. That the King intended to deceive the Ministers of the Church of *Scotland*, by his letter to the Presbytery of *Edinburgh*, (p. 72, 73.) wherein he declared his resolution to protect and preserve the government of that Church *as it is settled by Law* ; but, in his last letter, these words, *as it is*, are artfully omitted, that there might be a fairer pretence for introducing *Bishops*, upon *that very ground*, which so many took to be an assurance given against them. When his Majesty wrote to the Presbytery of *Edinburgh*, *Prelacy* stood abolished, and *Presbyterian* government established *by Law*, and the King's solemn oath was engaged to preserve the same inviolable. But, 2. it is apparent, that *Prelacy*, in *Scotland*, was now restored intirely by virtue of the *regal Supremacy*, of which the King was so tender, that he neither advised with his Council, nor sought their consent, but required them to publish his pleasure in this point ; for, tho' the Parliament had rescinded all the
 acts

acts passed since the year 1633, (p. 81.) yet they had, 1661.
by no act as yet, established *diocesan* Episcopacy; but
the King interposed his authority, for restoring that
Church, to its right government by *Bishops*, as it was
by law, before the late troubles; so that *Prelacy* was one
of the first fruits of *absolute and arbitrary power*. 3. The
reasons given for this remarkable change were absolutely
false. Inconveniences are first mentioned; but not one
instance is given; it is plain that profaneness was greatly
suppressed, piety flourished, many were converted, while
the Church of *Scotland* enjoyed her just and lawful liber-
ties; and, perhaps, *THESE* were look'd upon as *inconve-*
niencies by the present managers. It is also alledged
that *Presbytery*, tho' never named, was unsuitable to his
monarchical estate: but, had his Majesty forgot, that it
was the *Presbyterians* that stood by him during his exile;
that it was the *Presbyterians* that *restored* him to his
crown? And the confusions of the late times are most
unjustly laid to *their* charge, since they were almost the
only Body in the three kingdoms that stood out against
CROMWEL. But, it seems, his Majesty is now moved
from his regard *to the glory of God*. Sure, he must have
had a great regard *to this*, when he interposed his royal
authority for overturning that Constitution, which, upon
his knees, and with his hands lifted up to heaven, he
swore to maintain! However, he stuck at nothing. But
not to trouble the reader with any further remarks,

Prelacy being thus restored by the royal authority, *Men*
the next thing, under consideration, was to have Bishops *sought out*
appointed and consecrated. *Sheldon*, and the *English* *to be Bi-*
Bishops, had an aversion to all that had been engaged in *shops.*
the *Covenant*. Mr. *Thomas Sideferse* was the only one, *Burnet.*
now alive, of the old Bishops, and at this time expected *p. 132.*
to be advanced to the Primacy of *Scotland*. But he had *133.*
so disgusted the *English* Bishops, that they did not es-
pouse his interest, tho' they were much against a set of
Presbyterian Bishops. This touched *Sharp* to the quick:
so he laid the matter before the Earl of *Clarendon*, and
managed matters with so much art and dissimulation,
that he got the Archbishoprick of *St. Andrews* secured
to himself; *Sideferse* was made Bishop of *Orkney*; and

1661. *Sharp* was ordered to find out proper men, for filling up the other Sees ; and *Burnet* says, *the choice was generally very bad.*

*The new
Bishops.
Sharp's
character.*

Mr. James Sharp was Metropolitan ; a monster of hypocrisy, perjury, and vileness. He took the *Tender*. He made such a proposal to *Cromwel*, that he publicly declared him to be an Atheist. He was base with one *Isabel Lindsay*, as she publicly declared to his face, and had a share in the murder of the poor infant. He betrayed the Church of *Scotland*, and persecuted the true members of it. In a word, his wicked and cruel life, and the death he justly met with, would make a black and dismal history.

*Fairfoul's
character.*

p. 133,
134.

Mr. Andrew Fairfoul was made Archbishop of *Glasgow*, a man of some learning and neat expression, but never esteem'd serious. *Burnet* says, he was a pleasant facetious man, insinuating and crafty ; a better physician than divine ; that his life was scarce free from scandal, and was eminent in nothing that belonged to his own function. He had not only sworn the *Covenant*, but persuaded others to do it : and when it was objected to him, he said, that there were some very good medicines, that could not be chewed, but were to be swallowed down.

*Other Bi-
shop.*

Mr. George Wisheart was made Bishop of *Edinburgh*. *Mr. Sideferse* of *Orkney*, as above-mentioned. *Mr. David Mitchel* was named for *Aberdeen*, but did not enjoy it a full year. *Mr. James Hamilton* was made Bishop of *Galloway*. *Burnet* says, that when he formerly gave the Sacrament, he excommunicated all who were not true to the *Covenant*, using a form in the Old Testament of shaking out the lap of his gown, saying, *so did he cast out of the Church and communion, all that dealt falsely in the COVENANT.* *Mr. Robert Wallace* was Bishop of the *Isles*. *Mr. David Fletcher* Bishop of *Argyle*. *Mr. George Haliburton* Bishop of *Dunkeld*. *Mr. Patrick Forbes* Bishop of *Caitness*. *Mr. David Strachan* Bishop of *Brechin*. *Mr. John Paterson* Bishop of *Ross*. *Mr. Murdoch Mackenzie* Bishop of *Murray* : and *Mr. Robert Leighton* Bishop of *Dumblain*. To this last *Burnet* gives the most excellent character that can be met with ; and he

he was certainly the best of any of the Bishops nominated : But he was judged by many to be void of any doctrinal principles ; and his close correspondence with some of his relations at *Doway* in popish orders, made him suspected as indifferent to all professions, which bear the name of *Christian*. It was the remark of a country man, “ That the Bishops of *England* were like the “ Kings of *Judah*, some good, some bad ; but the Pre- “ lates in *Scotland* were like the Kings of *Israel*, not one “ of them good, but all of them followers of *Jeroboam* “ the son of *Nebat*, who made *Israel* to sin.”

Country-
men's re-
mark.

There were four of those, who were appointed to be Bishops, at this time in *London*, to wit, *Sharp*, *Fairfoul*, *Hamilton* and *Leighton* : “ But the *English* Bishops, finding that *Sharp* and *Leighton* had not *Episcopal* Ordination, as Priests and Deacons, the other two having been ordained by Bishops before the Wars, insisted that they should be ordained, first Deacons and then Priests. *Sharp* was very uneasy at this, and remembered them of what had happened when King *JAMES* had set up *Episcopacy*, who declared, that he thought such a practice went too far towards the unchurching of all those, who had no Bishops among them : But the Bishops were positive in the point, and would not dispense with it, and the others at last yielded ;” which, says *Mr. Wodrow*, made the Bishop of *London* tell *Sharp*, when he came to acquaint him with their consent to re-ordination, *That it was the Scots fashion to scruple at every thing, and to swallow any thing*. But tho’ this was an unjust and invidious reflection, yet these persons were justly reprov’d ; for one of them frankly declared he would be ordain’d, re-ordain’d, and re-ordain’d again, if it was insisted upon.

Burnet, p.
139, 140.

He further says, that in *December*, these four, with a great parade at *Westminster*, before a great confluence of *Scots* and *English* nobility, were dubb’d first preaching Deacons, then Presbyters, and then consecrated Bishops all in one day : but *Burnet* says, “ That these two (namely *Sharp* and *Leighton*) were privately ordain’d Deacons and Priests, and then all the four were consecrated publickly in the Abbey of *Westminster*.” The Ceremony

Re ordain-
ed and con-
secrated.

p. 140.

1661. remony was performed in all the modes of the *English* Church.

Remarks. The *Scots* Bishops, by submitting to a fresh ordination as Presbyters, declared that they look'd upon *presbyterial* ordination as invalid; but it is plain their after-conduct was inconsistent with this principle; for when they returned to *Scotland*, and entered upon their *episcopal* function, they *re-ordained none* of those Ministers who complied with them; and consequently, according to their own principles, *these were no lawful* Ministers, since they had not *prelatical* ordination. It must therefore be left with the reader, to determine, whether they could be justified in persecuting those people, who would not submit to those compliers, when, according to their own principles, they were not *lawful* Ministers. It is in vain to alledge, that the Bishop's allowance was equivalent to ordination by the imposition of hands; for if *that* was the case, why were they themselves re-ordain'd by the imposition of hands, to the scandal of all the reformed Churches? The Party must answer this the best way they can.

Leighton's *Leighton* told Dr. *Burnet*, that in the whole progress of this affair, there appeared such cross characters of an angry providence, that how fully soever he was satisfied as to *Episcopacy* itself, yet it seem'd, that God was against them, and that they were not like to be the men, that should build up his Church, so that the struggling about it seem'd to him like a *fighting against God*.—He, that had the greatest hand in it, proceeded with so much dissimulation, and the rest of the order were so mean, so selfish, and the Earl of *Middletoun*, with the other secular men that conducted it, were so openly impious and vicious, that it did cast a reproach upon every thing relating to religion, to see it managed by such instruments.

Earl of Tweeddale before the Council. It is now proper that we return to the proceedings of the Privy-council, before whom we shall find a remarkable process in the month of *September*, relating to the Earl of *Tweeddale*. It seems the court was informed, that, when the process was depending before the Parliament against Mr. *Guthrie*, his Lordship had spoke in favour of that gentleman. This was accounted such a crime,

crime, that his Majesty sent a letter to the council, dated the 7th of *September*, ordering them to commit the Earl to the castle of *Edinburgh*, which was immediately executed on the 13th. On the 17th his Lordship petitioned the Council, to interpose either for his enlargement, or that his imprisonment might be changed to a confinement to his house at *Bothams*. Accordingly they wrote to the Secretary, and inclosed his petition, and signified, that, in the late meeting of Council, when the matter of Church government was before them, the Earl had heartily complied with his Majesty's commands, behaving himself as a faithful counsellor and loyal subject. On the 1st of *October* two letters from the secretary were read in Council, recommending them to examine his Lordship's conduct at the late vote in Parliament, which condemned Mr. *Guthrie*, and to confine him to *Bothams* and three miles round, till further orders. Upon this a committee of the council was appointed, to whom he gave in a declaration, signifying, 1. That there were some circumstances in Mr. *Guthrie*'s case, that inclined him to vote for some other punishment than death, 2. That he did not remember his vote relating to the petition and instructions. 3. That having heard the process relating to the *declinature* read but once, and it being the first criminal process he was ever witness to, he therefore declined to vote in that article. Upon producing this declaration, the Earl was discharged from the castle, but confined to his own house at *Bothams*, and three miles round, and ordered to find bail under the penalty of 100,000 merks *Scots* for his appearance, or returning to the castle, when his Majesty or the council should see proper.

1661.

Imprison-
ed.

Confined to
his house.

Tho' afterward his confinement was taken off, yet from this process the reader cannot but see a manifest incroachment on the freedom of Parliament; for this was the only thing that was laid to his charge.

On the 18th of *September* the council agreed to a proclamation, discharging the electing of any person to be Magistrate or Counsellor, within any Burgh, but such as were of known loyalty and affection to his Majesty's government, qualified as is expressed in the late acts of Parliament.

Proclama-
tion con-
cerning e-
lections of
Magi-
strates.

Par-

1661. Parliament, and others made for that effect, and whose carriage, during the late troubles, has been no evidence to the contrary. The design of this proclamation was to exclude all *Presbyterians*, and such as were not hearty for Bishops and the King's arbitrary power, from any management of Burghs, and to entirely subject the royal Burghs to the yoke of the courtiers.

*Liberty of
the press
taken a-
way.*

On the 7th of *November*, information being given, that *George Swinton* and *James Glen* Booksellers in *Edinburgh*, have ordered to be printed several seditious and scandalous books and papers, such as *Archibald Campbell's* speech, *Guthrie's* speech, *The Covenant's plea*, &c. it was ordered by the Council, that the Lord Advocate and Provost of *Edinburgh* seize upon these books and papers, and discharge them and the rest of the printers to print any more books or papers, till they received warrant from the King, Parliament or Council. And thus the *liberty of the press* was effectually taken away: for the conduct of these managers could, by no means, bear such a publick scrutiny.

*Proceed-
ings a-
gainst Mr.
Blair.*

During these things, the Reverend Mr. *Robert Blair* Minister at *St. Andrews*, was ordered, upon some information or other, where *Sharp* took care to keep himself behind the curtain, on account of particular obligations he was under to this worthy Gentleman, to present himself before the Lord Chancellor at *Edinburgh* by the 9th of *October*. The Earls of *Linlithgow*, *Hume*, &c. were, on the 5th of *November*, appointed to examine him, and give in their report to the next meeting of the Council, which was done accordingly on the 7th: but what resolutions they came to is not known; for my author tells us, that he found a *blank* in the records of near half a page; and upon the margin, *At* Mr. *Robert Blair*, as if they had been ashamed of their proceedings against such a person, who was so universally regarded. We shall hear more of him next year.

*Ministers
discharged.*

The Council, in consequence of an application by the Presbytery of *Linlithgow*, discharged the Reverend Mr. *William Wiffheart* from his confinement, after a 13 months imprisonment, and afterwards Mr. *John Scot* Minister at *Oxenham*, and Mr. *Gilbert Hall* Minister at *Kirk-*

Kirklistoun, who had been apprehended on the remarkable 23d of *August*.

1661.




Several west-country Gentlemen, in the month of *November*, were brought to a great deal of trouble for their joining with Colonel *Strachan*, 1650. But while the Council were prosecuting Mr. *Blair* and other *Presbyterians*, they could not, for shame, but do something against trafficking *Papists*, whose numbers, at this time, greatly encreased; and it must be owned, that the Council shewed some considerable zeal this way, but were much hindred by the remissness of the *Prelates*. However, *John Inglis*, and *William Brown* were apprehended and committed to prison, and were both banished the kingdom; and a proclamation was issued on the 19th of *November* against *Papists*, and for seizing all *papish* books, writings, commissions, and others belonging to them; under the highest pains. But still *Papists* were over-looked, while they, who adhered to the true principles of the Church of *Scotland*, were prosecuted with the utmost rigour.

On the 10th of *December*, the Council desired the Chancellor to send a letter to the Presbytery of *Peebles*, ordering them to desist from admitting Mr. *John Hay* to the Church of *Manner*, until the return of the Archbishop. But it seems the Presbytery either had not received the Chancellor's letter, or could not put a stop to the ordination, and therefore had proceeded to the admission: wherefore, all the members who were present were summoned to appear, and answer for their conduct, under the pain of rebellion. This proceeding against Presbyteries was a stretch beyond the King's letter, by which *synodical* meetings were only prohibited. They might as well have forbid Presbyteries to take scandal under their consideration, as limit them in the point of ordination, which was one great part of their ministerial function, as yet reserved to them by his Majesty's last letter. But we shall find more Presbyteries writ to, in this manner, by the Council next year, to the occurrences of which I proceed in the following chapter.

Proceedings against the Presbytery of Peebles.

C H A P. IV.

Of the discharging of Church-Judicatories, the consecration of the Bishops, the Acts OF THE PARLIAMENT, and the proceedings of the Council, particularly the Act of Glasgow, and other things during the year 1662.

1662.  BEFORE the Parliament sat down, the Council completed the work of overturning the Judicatories of this Church, pursuant to the orders they received from *London*, where all things were concerted by *Sharp* and the rest of the Bishops, who were there.

Church judicatories discharged. Accordingly, on the 2d of *January* the Council received a letter from the King, signifying his will and pleasure, for them to discharge, by Proclamation, all ecclesiastical meetings in Synods, *Presbyteries* and *Sessions*, till authorised and ordered by the Archbishops and Bishops. Thus we find that Synods were first interrupted, and then discharged: *Presbyteries* were forbid to ordain any in vacant parishes, and now their meetings were prohibited, nay, and *Sessions* likewise must die with the expiring government of this Church, and all in consequence of the royal supremacy, without the authority of Parliament.

P. 141. Bishop *Burnet* says, that *Sharp* procured this without any advice, and it proved very fatal; for when King *JAMES* brought in the Bishops before, they had still suffered the inferior Judicatories to continue sitting, till the Bishops came and sat among them.—Whereas now, by silencing these courts, the case was much alter'd:

g. 142. — for these courts, being now once broken, and brought together afterwards by a sort of connivance, without any legal authority, only as the Bishop's assistants and officials, to give him advice, and act in his name, they pretended they could not sit in them any more, unless they should change their principles and become thoroughly episcopal. But, by the way, *Burnet* had no reason to put in these words, *they pretended*; for the

the truth is, they *could not* countenance any such Judicatures, consistent with *presbyterial* principles. *Burnet* adds, so fatally did *Sharp* precipitate matters. He affected to have the reins of the Church wholly put into his own hands, and *Lauderdale* was not sorry to see him commit errors, since the worse things were managed, his advice would be the more justified. And *Middletoun* and his party took no care of any business, being almost perpetually drunk. —

1662.



The same day, the abovementioned proclamation was published, the Council discharged the Presbytery of *Kelfo* from proceeding to ordain a Minister to the Church of *Yettam*; for things were now carried on with an high hand: And by this time, the publick *Resolutions* began to see the dismal effects of opening a door to *Malignants*, to get into places of trust in the Council and army; because though the *Protestors* were the *first* who suffered, yet both were afterwards made to drink of the same cup. Accordingly Mr. *Douglass* is reported to have said, when he saw things thus carried on, *Our brethren the Protestors have had their eyes open, and we have been blind.* And Mr. *Dickson* used to say, *The Protestors had been much truer prophets than they.* And Mr. *Wood* acknowledged to several of his brethren, who differed from him in judgment, that *they had been mistaken in their views they took of matters.*

Resolutions
convincing

And it is a matter of sad regret, that the most part of *Presbyteries*, instead of making any stand for their religious liberties, silently yielded to the proclamation, and left off meeting in a judicative capacity; so that the wicked and unjust invasions made upon the crown and dignity of the Lord Jesus Christ, brought many of the faithful of the land with sorrow to the grave; for now, if any *Presbytery* did so much as petition for a fair hearing, no regard was paid to it.

The sad
state of the
Church.

Thus when the Presbytery of *Kirkcudbright* sent two of their members, to wit, Mr. *John Duncan* Minister at *Rerick*, and Mr. *James Buglos* at *Crossmichael*, with a petition to the Privy Council, most respectfully and humbly entreating them in the name of Jesus Christ, “ That their honours would be pleased

Petition of
the Presby-
tery of
Kirkcud-
bright re-
jected.

1662. “ to grant unto them freedom and liberty, to unfold
 “ their bosoms in those things, that, relating to the
 “ work of God in the land, did sadly aggrieve their
 “ spirits,—And particularly that they might have liberty,
 “ with freedom and safety, to express their minds a-
 “ gainst the re-introduction of *Prelacy* upon this Church
 “ and kingdom.” — But instead of having a hear-
 ing allowed them, they were but still more exposed to
 sufferings and persecutions. If such petitions as these
 can, with any shew of reason, be looked upon as seditious
 or treasonable, must be left with the reader.

*Gentlemen
 barrasted.*

Many worthy Gentlemen in the west country were brought into trouble, on pretence of their having damaged the Earl of *Queensbury's* estate, and been with the forces under Colonels *Strachan* and *Ker* 1650. But the true cause was, because most of them were for the *Remonstrance* and enemies to *Prelacy*. The Parliament therefore computed the losses the Earl sustained at 2000 *l.* sterl. and the Council, to whom the Parliament left the affair, rated every Gentleman, who was pretended to have been concerned as above, in proportion to his estate real and personal. Thus Sir *William Cunningham* of *Cunninghamhead* was rated at above 200 *l.* Sir *Hugh Campbel* of *Cesnock* at above 130 *l.* Mr. *William Gordon* of *Earlestown* at above 120 *l.* sterl. and others in proportion. But whether it was reasonable to attack so many Gentlemen for an alledged fault, committed upwards of ten years ago, and merely because they were hearty *Presbyterians*, must be left with the reader, who may see a list of them in *Wodrow*, p. 131.

*Proceed-
 ings a-
 gainst
 Mr. Robt.
 Blair.*

The Reverend Mr. *Robert Blair* (page 128.) was before the Council the beginning of this year. On the 9th of *January*, the Lord *Bellenden*, the Advocate and the Provost of *Edinburgh* were appointed to examine the witnesses summoned to appear in his case, and make report accordingly; but after their most diligent search, nothing could be found against him. After the imprisonment of the Ministers in *August* 1660, and the prospect of the resettlement of *Prelacy*, he preached a faithful, and yet cautious sermon from *1 Pet. iii. 14.* Upon his examination as to the matter of his sermon, he gave
 the

the committee of the Council a distinct account. He was only confined to his room at *Edinburgh*, and afterwards removed to *Musselburgh*, where he continued till *September* this year. While he was there, *Sharp* found means to get his charge declared vacant. On hearing of this *Mr. Blair* sent his presentation to the Council. A little after, he obtained liberty to reside at *Kirkaldy*, where he continued with great respect, till the order was published, forbidding all *Presbyterian* Ministers to live in burghs, and then he removed to *Couglston*. But the true ground of all his trouble was, because the Archbishop could not be easy, while so good a man was near him.

1662.



The Council had little more before them till after the Parliament was up.

The melancholy change that was now made, and the dismal prospect of things, for the time to come, made such impressions upon many, that they died of grief: Among others, was the noble *John Earl of Loudon* late Chancellor of *Scotland*, who had been a prime instrument in the late work of Reformation. He was a Nobleman of great, peculiar endowments, joined with remarkable resolution and courage. And next to the Marquis of *Argyle* was the butt of the spite and rage of the present managers. He often entreated his excellent Lady to pray, that he might never see the next Session of Parliament; and accordingly he was taken away from the evil to come, on the 15th of *March*, and was honourably interred among his ancestors.

The Earl of Loudon died of grief.

Soon after this, Archbishop *Sharp*, and the other three who had been consecrated at *London*, came down to *Scotland* all in one coach. *Leighton* told Dr. *Burnet*, that he believed they were weary of him, for *he was very weary of them*. But finding they were to be received at *Edinburgh* with some pomp, he left them at *Morpeth*, and came to *Edinburgh* a few days before them.

The Bishops come. Burnet, p. 142.

They got to *Berwick* on the 8th of *April*, and were met upon the road to *Edinburgh*, by a considerable number of Noblemen, Gentlemen and others, and were received at their coming in with all pomp and solemnity, which was not a little pleasing to *Sharp*. The Lord Chancellor

1662. Chancellor, with all the Nobility and Privy Councillors then at *Edinburgh*, went out together, with the magistracy of the City, and brought the Bishops in, as in triumph. Dr. *Burnet* was a spectator, and says, that though he was truly *episcopal*, yet he thought there was something in the pomp of that entry, that did not look like the humility that became their function.

Consecrated.

The Commissioner *Middleton* came to *Holyrood-house* on *Sabbath*, *May* the 4th; and the 7th was fixed for the consecration of the rest of the Bishops in the Church of *Holyrood-house*. The two Archbishops, who were the consecrators, went to the Church in great parade, in their pontifical habits. The Primate made use of the *English* forms, and read all from the book: But it is remarkable, as Bishop *Burnet* observes, that they were not ordained first Priests and Deacons. Three of the Bishops nominated were not present; but were afterwards consecrated at *St. Andrews*, in the month of *June* following.

p. 143.

Admitted into Parliament.

This ceremony made way for their admission into Parliament, *May* the 8th, which was performed with great ceremony. Six members of Parliament, two Noblemen, the Earls of *Kelly* and *Weems*, two Barons, and two Burgeßes, were sent to invite them to come and take their seats in the house. From the *Nether-bow*, they went up in state. The two Archbishops in the midst of the first rank; the Gentlemen, † Bailies and the Town-council of *Edinburgh* mixed in with the rest of the Bishops, who had all their black gowns and robes. When they came to the house, a speech was made to them, and the act restoring them read, and the house adjourned for that time. They were all invited to dine with the Commissioner, who did them the honour to walk down the street with them on foot. Six Maces went first with their maces elevated. Next three Gentlemen-ushers, and then the Purse-bearer uncovered. The Commissioner and Chancellor came next, with two Noblemen upon their right-hand, and the Archbishops upon their left. And the other Noblemen and members of Parliament invited, made up the rest of the cavalcade.

† Aldermen.

Thus

1662.

Remarks.

Thus *Prelacy* was restored in triumph; but without the least shadow of the Church's consent or authority, nay, in opposition to many ecclesiastical acts, as yet unrepealed; and therefore it was no wonder, though many looked upon them as *intruders*. Besides, the managers knew too well, that they durst not run the hazard of having this change made in *any considerable meeting* of the Ministers of *Scotland*: And therefore *Prelates* and *Prelacy* were introduced entirely by the *Supremacy*. And upon this foot the Parliament gave their consent to, and settled *Episcopacy* in their 2d Session, the proceedings of which I am now briefly to relate, when I have observed, that *May* the 7th, the Commissioner in Council declared, that it is his Majesty's royal will and pleasure, that the Earl of *Tweeddale's* restraint be taken off. But then he and others must be taught, by his eighth months imprisonment and confinement, how dangerous it would be, to speak according to their conscience, and in any thing to contradict the measures of the Court.

The Parliament had been adjourned to *March*; but it being resolved, that the Bishops should sit in the House, and matters not being as yet concerted for their consecration, it was deferred till that should be over. Accordingly on the 8th of *May* the Parliament sat down; and if ever *iniquity was established by law*, it was remarkably so in this session, as appears by the following acts that were made.

The Parliament sat down.

The very first act which was pass'd, was that *for the restitution and re-establishment of the ancient government of the Church by Archbishops and Bishops*; which begins thus:

Act restoring Episcopacy.

“ Forasmuch, as the ordering and disposal of the external government and policy of the Church, doth properly belong unto his Majesty, as *an inherent right of the crown*, by virtue of his royal prerogative and supremacy, in causes ecclesiastical.”—So that this act was founded entirely upon the King's *Supremacy*. The Bishops were already set up by his Majesty's *sole authority*, and therefore it was very fit, that they should lean entirely upon that foundation. By this act, the King

Remarks.

was

1662. was made the only fountain of Church power, and that exclusive of Christ the *only* HEAD of the Church, of whom there is not the least mention. And the reader may judge, whether any could, with a safe conscience, take the oath of *Allegiance*, or rather *Supremacy*, formerly mentioned, who was perswaded, that there ~~was~~ no *visible* head of the Church upon earth, or submit to *Pre-lacy*, as thus established, especially when we consider the exorbitant power that was put into the hands of Bishops : For by this act they were “ restored to the exercise of “ their *episcopal* function, precedence in the Church, “ power of ordination, inflicting of censures, and all “ other acts of Church-discipline, which they are to per- “ form, with advice and assistance of such of the Cler- “ gy, as they shall find to be of known loyalty and “ prudence.——And further, it is hereby declared, “ that whatever shall be determined by his Majesty, “ with the Advice of the Archbishops and Bishops, and “ such of the Clergy as shall be nominated by his Ma- “ jesty, in the external government and policy of the “ Church (the same consisting with the standing laws “ of the kingdom) shall be valid and effectual.”——

p. 143. Now Bishop *Burnet* himself owns, that this was plainly the setting Episcopacy on *another bottom* than it had been ever on in *Scotland* before this time.

*Act for
preserving
the King's
person.*

Their 2d act was for *the preservation of his Majesty's person, authority, and government*; in which it was declared, to be treason for subjects, upon pretence of *Reformation*, or any other pretence whatsoever, to enter into *Leagues and Covenants*, or to take up arms against the King, or those commissioned by him; and consequently passive obedience and non-resistance were by this established; and had this been observed in all time coming, the REVOLUTION had never taken place. It was likewise declared, that the *National Covenant* and *Solemn League and Covenant* were unlawful oaths, and that there lay no obligations on the subjects from these oaths. Thus they assumed the *Pope's* power in *dispensing with oaths*. And to compleat all, they repealed all acts, ecclesiastical and civil, approving these *Covenants*, particularly, the acts of the Assembly at *Glasgow* 1638. In short, it

was declared, that if any should speak, write, preach, print, or pray any thing, tending to stir up a dislike of his Majesty's prerogative and supremacy, in causes ecclesiastical, or the government by Archbishops and Bishops now settled, should be incapable of any publick trust. All this plainly shews, that *Prelacy* in the Church of *Scotland* was the road to tyranny in the State. 1662.

By their 3d act, all Ministers entered since 1649, were ordered to take presentations from their respective patrons, and receive collation or admission from the Bishop: so that they must either look upon all, they had formerly done in the Ministry, to be invalid, and submit to *Prelacy*, contrary to their consciences, or quit their charges. And the better to transmit *Prelacy* to posterity, 3d Act.

By their 4th act, all masters of colleges, who refuse to submit to *Episcopacy*, and take the oath of *allegiance*, were ordered to be turned out. Ministers were ordered to attend the diocesan Synods, and assist, in all things, as they shall be required by the Bishops, under very severe penalties. In a word, all private meetings, or conventicles in houses, under pretence of religion, were, by this act, discharged, and none were to preach, or keep school, or be pedagogues to persons of quality, without the Bishop's Licence. Remarks, upon these arbitrary laws, and open restraints upon conscience, are, I suppose, needless. But to compleat the work, 4th Act.

By their 5th act, all persons in publick trust were ordained to subscribe the following DECLARATION.

“ I ——— do sincerely affirm and declare, that
 “ I judge it unlawful to subjects, upon pretext of
 “ Reformation, or any other pretext whatsoever, to
 “ enter into *Leagues* and *Covenants*, or to take up arms
 “ against the King, or those commissioned by him ;
 “ and that all those gatherings, convocations, petitions,
 “ protestations, and erecting or keeping of *Council-*
 “ *tables*, that were used in the beginning, and for the
 “ carrying on of the late troubles, were unlawful and se-
 “ ditious : and particularly that these oaths, whereof
 “ the one was commonly called the NATIONAL

1662. “ COVENANT (as it was sworn and explained in the
 “ year 1638, and thereafter) and the other entituled,
 “ A SOLEMN LEAGUE AND COVENANT,
 “ were, and are, in themselves, unlawful oaths, and
 “ were taken by, and imposed upon the subjects of this
 “ kingdom, against the fundamental laws and liberties
 “ of the same; and that there lieth no obligation upon
 “ me, or any of the subjects, from the said oaths, or
 “ either of them, to endeavour any change or altera-
 “ tion of the government either in Church or State, as
 “ it is *now* established by the laws of the kingdom.”

By this all are obliged to condemn the *Covenants*, and declare that they laid no obligation upon *any*; than which nothing could be so unaccountable, as to declare that they, who *had taken* these sacred oaths, were under no obligation from them. Here perjury, of the deepest dye, was made the absolutely necessary qualification of all in publick office. In short, the whole work of Reformation was hereby renounced, and all defensive arms must be declared unlawful, conscience must now be enslaved, and tyranny reign triumphant.

Act of indemnity.

Prelacy being thus settled, towards the end of the session, they at length passed an *Act of indemnity* and oblivion, which had been granted in *England*, almost as soon as the King came home; but his *antient* kingdom must not enjoy such a favour, till the *Prelates* had their main interests secured, tho’ ’tis well known, that it was the *Scots* Presbyterians that crowned him, and fought for him, and suffered exceedingly under the usurpation.

Exceptions

But out of this indemnity were excepted the Marquis of *Argyle*, *Waristoun*, *Swinton*, Mr. *James Guthrie*, *William Govan*, *John Hume*, *William Dundas*, and the *Campbells* of *Ardringlas* and *Ormsay*, besides all who had been declared fugitive by the committees of Estates and Parliament, since the year 1660. This indemnity was further clogg’d by an *Act of fines*, as was pretended, for the relief of the King’s good subjects, who had suffered in the *late troubles*, as they generally termed the *Reformation*, since the year 1638. The Parliament appointed a committee for pitching upon the persons to be fined,

Act of fines.

and

and the sums each were to pay. Accordingly, they made up a list of about nine hundred Noblemen, Gentlemen, and others, which the Parliament implicitly approved of, together with the sums they were to pay, which made in all one million, seventeen thousand, three hundred and fifty three pounds, six shillings and eight pennies *Scots* money, which is above eighty four thousand, seven hundred and seventy nine pounds *Sterling*. The curious reader may see the list in my author's appendix, N. 33. It was, at that time, observed, that some mentioned in the list were dead, some had never a being, some were sucking infants, and others were subsisted out of the weekly collections for the poor. And generally speaking, these fines were imposed upon those, who were reckoned *Presbyterians*. And tho' *Middleton* thought to have got this money, yet it fell into other hands. How this *act of fines* was put in execution, we shall see afterwards. In short, this act of favour was further clogged by the *balloting act*, by which twelve persons were to be secluded from places of trust, who were to be named in Parliament by *balloting*. This was a contrivance of *Middleton's* to turn out *Lauderdale*, *Crawford*, and Sir *Robert Murray* : but it occasioned his own disgrace ; for the King was so displeased at this, that when the Duke of *Richmond*, Sir *George Mackenzie* and Lord *Tarbat* delivered the balloting act to him, his Majesty said, that *their last actions were like madmen, and like men that were perpetually drunk*. 1662.

Remarks.

Balloting act.

Burnet,
P. 151,
152.

This Parliament issued a Proclamation for keeping the 29th of *May*, with certification, that those Ministers, who would not observe it, should be deprived of their benefices ; whereupon many, without being either summoned or heard, were deprived of their stipends for that year, and the non-observance of it was the occasion of great trouble to many faithful Ministers.

This day was observed with the usual solemnities in all cities and burghs : but the town of *Linlithgow* signalled itself by a most horrid contempt upon the *Covenants* and work of Reformation, of which the following account will, I hope, not only be acceptable to the reader, but shew the *spirit* of the party. *The observation of the 29th of May.*

1662.



When divine service was ended, the streets were so filled with bonfires, that it was not without hazard for any to go along. The Magistrates invited the Earl of *Linthgow* to honour them with his presence, which he did. Then coming to the market-place, where was a table covered with confections, they were met by the Curate, who having prayed and sung a psalm, they eat a few of the confections, and threw the rest among the people, the fountain all that time running *French* and *Spanish* wines.—At the cross was erected an arch, standing upon four pillars: on the one side of the arch was erected a statue in the form of an old hag, having the *Covenant* in her hands, with this inscription, A GLORIOUS REFORMATION. On the other side was another statue in a *Whigmuir's* habit, having the *Remonstrance* in his hand with this inscription, NO ASSOCIATION WITH MALIGNANTS. On the top of the arch was placed a statue representing the Devil as an angel of light, with this label at his mouth, STAND TO THE CAUSE.

The arch was beautifully adorned with several draughts of rocks, reels, and kirk-stools upon the pillar beneath the *Covenant*: and upon the pillar beneath the *Remonstrance*, were drawn brechams, cogs and spoons. Within the arch was drawn a *Committee of Estates*, with this inscription, ACT FOR DELIVERING UP THE KING. On the left hand was drawn a *Commission of the Kirk*, with this inscription ACT OF THE WEST KIRK. In the middle of the arch hung a table with this litany,

*From Covenanters with uplifted hands,
From Remonstrators with associate bands,
From such Committees as governed this nation,
From Kirk Commissions and their protestation,
Good LORD deliver us.*

Upon the back of the arch was drawn the picture of *Rebellion*, in a religious habit, with eyes turned up, and other fanatick gestures, in its right-hand holding LEX REX, and in its left THE CAUSES OF GOD'S WRATH.

There

There lay round about, Acts of Parliament, Acts of Committees of Estates, Acts of Assemblies, &c. during these 22 years of rebellion. Above her was this superscription, **REBELLION IS AS THE SIN OF WITCHCRAFT.** At drinking the King's health, fire was put to the frame, and suddenly all was consumed to ashes, and then appeared a table, supported by two angels, bearing this inscription.

*Great Britain's Monarch on this day was born,
And to his kingdoms happily restored:
The Queen's arrived, the Mitre now is worn,
Let us rejoice, this day is from the LORD.
Fly hence, all traitors, who did mar our peace,
Fly hence Schismatics, who our Church did rent,
Fly covenanting, remonstrating race;
Let us rejoice, that God this day hath sent.*

Then the magistrates accompanied the Earl of *Linthgow* to the palace, where his Lordship had a great bonfire, and were drunk the healths of the King, Queen, &c.

From the whole, I question whether such a bold insult upon religious matters is to be paralleled; for some, who were chiefly concerned in this mock pageantry, particularly *Robert Milne*, one of the magistrates, and *Mr. Ramsay* the Minister, had solemnly taken the *Covenants*, and consequently, now publickly avowed their own perjury, and left a blot upon their memory.

During this Session of Parliament the Reverend *Mr. Robert Bailie*, who was justly reckoned among the great men of his time, died of grief, on account of the sad alterations then made; he faithfully declared his sentiments as to *Prelacy*, in two letters to *Lauderdale*, which are inserted in *Wodrow's* history, to which I refer the reader.

Soon after the Act restoring Episcopacy was passed, *Prosecution of several Ministers.*
Mr. John Carstairs Minister at *Glasgow*, *Mr. James Nasmyth* Minister of *Hamilton*, *Mr. Matthew Mowat* and *Mr. James Rowat* Ministers at *Kilmarnock*, *Mr. Alexander Blair* Minister at *Galsoun*, *Mr. James Veitch* Minister

1662.



Minister at *Mauchlin*, Mr. *William Adair* Minister at *Air*, and Mr. *William Fullerton* Minister at *St. Quivox*, were all summoned before the Parliament, for a terror to other *Presbyterian* Ministers, who stood firm to their principles : and because no indictment could be found against them, they were brought before *the Lords of the articles*, and, as a test of their loyalty, were required to take and subscribe the *Oath of Allegiance and Supremacy*. To this they declared their willingness to comply, upon condition of being allowed to explain the Oath, and accordingly they all subscribed their sense of it, except Mr. *Adair*, in a paper, which they presented to the house on the 28th of *May*. When the Chancellor received the paper, and observed, that Mr. *Adair*, who was with the rest, had not signed it, he ordered him to withdraw : But the six Ministers (for Mr. *Fullerton* was dismissed) were closely confined 3 and 3 in one room, to the great prejudice of their health, without allowing any to have access to them. After some weeks they were ordered to be banished, when the Commissioner and Council should think fit to pass sentence : But Mr. *Carstairs* fell so dangerously ill, that he was permitted to go to *Dalkeith* for his health, and thereby escaped. And the managers being apprehensive of the consequences of such rigorous proceedings, thought proper to allow them some more liberty, and suffer their friends to see them, and some of them to go out of town for their health.

*Proceed-
ing against
Lord Lorn.
Burnet, p.
148, 149.*

The Parliament's proceeding against the Lord *Lorn*, the eldest son of the late Marquis of *Argyle*, was both unprecedented and severe ; for having wrote to the Lord *Duffus*, complaining of the practices of his enemies, in endeavouring to possess the King against him by many lies, this letter was intercepted and carried into Parliament, and complained of as *leasing making*. Accordingly the Parliament desired the King to send him down to be tried upon it. The King thought he letter indiscreetly wrote, but could not see any thing in it, that was criminal ; yet, in compliance with so zealous a Parliament, his Lordship was sent down upon his parole : But the King wrote positively to the Earl of *Middletoun*, not to proceed to the execution of any sentence that might

might pass upon him. Lord *Lorn* came down to *Edinburgh* July the 17th, and was immediately charged to appear, that very afternoon, at the bar of the house, and after he made a handsome speech, was committed a close prisoner to the castle. And on the 26th of *August* he received sentence of death. *Burnet* says, He was certainly born to be the signalest instance in this age of the rigour, or rather of the *mockery* of justice. However, as the time of his execution was left to the King's appointment, we shall find afterwards a remission granted him.

1662.

On the 3d of *September*, *Campbel* of *Ardkingless*, and *Campbel* of *Ormsay* were forfeited and declared traitors, for some alledged crimes against the Gentlemen of the name of *Lammont*, long ago committed.

*Some for-
feited.*

Mr. *James Hamilton*, Mr. *George Hutchesson*, and Mr. *John Smith* Ministers of *Edinburgh*, were silenced, and deposed by the Parliament, for not giving obedience to their Bishop; and the rest were given to understand, that they were to meet with the same punishment and censure, if they did not submit to their ordinary. An end was put to this Session of Parliament on the 9th of *September*.

While these things were transacting, the *Presbyterians* in *England* were made to feel the sad effects of restoring the King without terms; for *Episcopacy* having been re-established upon his Majesty's return, on the 24th of *August* this year, about 2000 Ministers were ejected by the *Act of Uniformity* that took place that day, by which they were brought under many intolerable hardships. Many holy and excellent Ministers, says Dr. *Calamy*, were quickly after laid in goals in many counties in the land, for the heavy crime of preaching and praying. And thus *Protestants* persecuted *Protestants* through the whole island, when it was a rare thing to see a *Papist* in the least molested. But to return to the affairs of *Scotland*.

*Act of Uni-
formity.
Calamy.*

The very next day after the Parliament rose, the Council met, and ordered all Parsons, Vicars and Ministers, to repair to, and attend upon the *diocesan* meetings, as they shall be appointed and authorized by the Archbishops and Bishops, otherwise to be accounted contemners of his Majesty's authority, and to incur the censures

1662. censures provided in such cases, and all other meetings of Ministers were, henceforth, to be held as seditious. Accordingly, the 2d *Tuesday* of *October* was appointed for the dioceses of *St. Andrews, Glasgow, Edinburgh, Dunkeld, Brechin* and *Dumblain*, and the 3d *Tuesday* for those of *Galloway, Aberdeen, Murray, Ross, Caithness, Isles, Argyle* and *Orkney*.

It is plain, that no *Presbyterian* Ministers could attend, or give countenance to these assemblies, without renouncing their principles; and accordingly these meetings, except in the north, were very ill attended.

*A tour to
the west.*

In order therefore, to put this act in execution, and to confer the greater honour upon the Bishops in the western and southern shires, where they were generally disliked, the Commissioner, the Chancellor, the Earls of *Morton, Linlithgow, Callender* and the Lord *Newburgh* made a tour to the west country, with great pomp and ceremony, and were regaled and royally entertained in many places, through which they passed. And it was remarked, that they, who entertained the Commissioner best, had their dining room, their drinking room, their vomiting room, and sleeping rooms, when the company had lost their senses. And it was regretted, that while they were at *Air*, about the middle of the night, in one of their debauches, the Devil's health was drank at the cross. Such were the reformers of this period, and *these* the promoters of *Prelacy*!

*Fairfoul's
proposal.*

On the 26th of *September*, they came to *Glasgow*, where *Fairfoul* the Archbishop complained to the Commissioner, that notwithstanding the Act of Parliament, there was not one of the young Ministers, that had been placed since 1649, had owned him for Bishop; that he had only the hatred that attends that office in *Scotland*, but nothing of the *power*, and that the new made Bishops would be mere cyphers, if his Grace did not fall upon some more effectual method. The Commissioner desired he would make some proposal, with which he would readily to comply. *Fairfoul* moved, that the Council would agree upon an act and proclamation, expressly banishing all the Ministers, who had entered since 1649, from their houses, parishes and presbyteries, unless they received *collation* or admission

from the Bishop before the 1st of *November*, assuring the Commissioner there would not be ten in his diocese, that would not comply. 1662.

Upon this, the Council met at *Glasgow* in the college *Council at Glasgow.*
fore-hall, on the 1st of *October*, and this was called the *drunken meeting at Glasgow.* Bishop Burnet says, "that Duke Hamilton told him, they were all so drunk that day, that they were not capable of considering any thing, that was laid before them, and would hear of nothing, but the executing of the law, without any relenting or delay." When the Council met, *Middletoun* the Commissioner laid before them the motion made by *Fairfoul*, and urged the necessity of supporting the Bishops brought in by the King and Parliament. Duke Hamilton, according to Burnet, as well as Sir James Lockhart of Lee, strenuously opposed the motion. The Earl of *Middletoun* would hear of nothing but the execution of the law. No reasoning could have any weight with men, who were resolved upon establishing *Prelacy*, right or wrong; accordingly the act passed, ordering all the Ministers, who had entered since the year 1649, and would not receive *collation* or *admission* from the Bishop, before the first of *November* following, to be deprived of their stipends for the current year, and to remove from their parishes and presbyteries, discharging them from exercising any part of their ministerial office, after that time; and that none of their parishioners repair to their sermons, under the pain of being punished as frequenters of private conventicles and meetings. But as Duke Hamilton signed this act, as well as others, it would seem that his Grace did not make that opposition which Burnet represents. P. 114 Ibid.

This was the famous ACT OF GLASGOW, by which the most part of the west and south of Scotland was deprived of Ministers. But the managers were soon convinced, that they had taken a wrong step; for after the Commissioner returned to *Edinburgh*, and the accounts were brought of the dismal consequences of their late proceedings, they met on the 4th of *November*, and wrote to the Archbishops of *St. Andrews* and *Glasgow* to repair as soon as possible to *Edinburgh*, to give

1662. their advice at such a critical conjuncture; but nothing was concluded in this affair before the 23d of *December*, when the Council gave Ministers till the first of *February*, to come and receive collation or admission from the Bishops, as above, or else to remove out of their parishes, presbyteries and the dioceses of *St. Andrews* and *Edinburgh*; ordered all persons to repair constantly to their own parish Churches, &c. But this was the last time that the Earl of *Middletoun* sat in the Council, and soon after went up to *London*, where he suffered no small inconveniencies; and, for ought appears, never returned any more to *Scotland*.

Proceed-
ings a-
gainst the
Ministers
of *Edin-
burgh*, &c.

4 Nov.
10.

Besides this general thrust, made by the *Glasgow Act*, at all the Ministers, who could not in conscience comply with *Prelacy*, many, both Ministers and others, met with cruel and unjust usage. Accordingly, on the 16th of *September*, because several who were persecuted in the country, repaired to *Edinburgh*, the council ordered the magistrates of that city, to oblige all their Burgeesses and inhabitants every evening to give an account of their lodgers, under such penalties, as the said magistrates should inflict. And the same day ordered all the Ministers of the town, who would not own the present establishment, not only to desist from the exercise of their ministry, but also to remove from the city at *† Martinmas* next, which was more than they were authorised to do by the Act of Parliament. But the Council made no scruple to exceed the penalties inflicted by the Parliament, and to assume to themselves a parliamentary power. The Ministers submitted, except *Mr. Robert Lawrie*, called the *nest egg* by the common people, who conformed to *Prelacy*, and soon after died under remorse. Thus were the Ministers of *Edinburgh* turned out, and were succeeded by persons that could, in nothing, be compared with their predecessors.

Proceed-
ings a-
gainst *Mr.
Cargil* and
Mr. Wylic.

At *Glasgow* the Council, after ordering letters of intercommuning against *James Campbel* of *Ardkinglass*, and *James Campbel* of *Ormsay*, passed an act against *Mr. Donald Cargil* Minister of the *Barony Church* at *Glasgow*, for not observing the 29th of *May*, and for not obtaining a presentation and collation from the

Arch-

Archbishop of *Glasgow*, declaring his Church to be vacant, and ordering him to transport himself, family and effects before the 1st of *November* following to the north side of the river *Tay*, under the penalty of being imprisoned and prosecuted as a seditious person. The reader will observe, that his preaching against the defection and sins of that time, was what was then constructed sedition. The like act was passed against Mr. *Thomas Wylie* Minister at *Kirkcudbright*, who, with the other brethren of that Presbytery, continued preaching, and kept their Presbyteries, notwithstanding the act made against all such meetings. But his wife, through the interposition of Lady *Cochran*, obtained a mitigation of his sentence; so that it was either in, or after the month of *December*, before he went north with his family.

1662.



On the 6th of *November*, the Council commenced a process against Sir *James Stuart* late Provost of *Edinburgh*, and his second son, for entertaining in their family Mr. *Hugh McKail*, who, they pretended, had, in a sermon, abused the King and the present government in Church and State. But when the matter was strictly examined, it came to nothing. Sir *James's* son, whom they had imprisoned, was set at liberty, and died soon after, and Mr. *McKail* went abroad, and accomplished himself in traveling for some years, and, upon his return, became the object of the malice of the *Prelates*, and sealed his testimony with his blood, as we shall afterwards hear.

Process against Sir James Stuart.

Mr. McKail goes abroad.

On the same day, the learned, zealous and pious Mr. *John Brown* Minister at *Wamfray*, was ordered to be imprison'd in the Toll-Booth, for speaking against those who countenanced the *diocesan* Assemblies. Great were the hardships he underwent in prison, for he was denied even the necessaries of life; and tho', because of the ill treatment he met with, he was brought almost to the gates of death, yet he could not have the benefit of the free air, until he signed a bond obliging himself to a voluntary banishment without cause.

Mr. Brown is imprisoned.

On the 18th of *November*, the Council ordered, that Mr. *John Livingstone* Minister at *Ancrum*, Mr. *Samuel Austin*, Mr. *John Neave* Minister at *Newmills*, Mr. *John Carstairs*, Mr. *Matt. Mowat*, Mr. *Robert Trail*, Mr.

Council's act against several Ministers.

1662. *James Nasmyth, Mr. And. Cant, elder, Alex. Cant, his son, Mr. John Menzies, Mr. George Meldrum at Aberdeen, Mr. Alex. Gordon at Inverary, Mr. J. Cameron at Kilsennan, Mr. James Gardiner at Saddle, upon notice given them, do repair to Edinburgh and appear before the Council, against the 9th of December next. They likewise ordered Mr. Gilbert Rule and Mr. John Drysdale to be secured; but neither of them was apprehended. Now these worthy and excellent persons were singled out, as those, that must either comply with the Bishops, or be banished their country.*

Mr. Livingstone examined.

On the 11th of *December*, for it don't appear there was any *federunt* on the 9th, to which the Ministers above mentioned were summoned, the eminent and worthy *Mr. John Livingstone* was examined before the Council, and though he acknowledged the King as the only lawful, supreme, *civil* Governor over all persons, and in all causes ecclesiastick as well as civil, yet because he would not promise to keep the *anniversary* of the 29th of *May* for the future, nor take the oath of *allegiance*, in the terms in which it was expressed, they ordered that, within two months, he should remove out of his Majesty's dominions, and within 48 hours depart from *Edinburgh* to the north of the *Tay*, and remain there, till he should leave the country, without being permitted to see his wife and family. Upon receiving this cruel sentence, he said, "Well, although it be not permitted to me to breathe in my native air, yet, I trust, whatsoever part of the world I go unto, I shall not cease to pray for a blessing to these lands, to his Majesty, and the government, and the inferior Magistrates thereof, but especially to the land of my nativity." Upon this they told him, that he must either go to prison or subscribe his acquiescence to the sentence, which last he complied with, and accordingly subscribed the following,

Banished.

His bond. "I *Mr. John Livingstone* late Minister of *Ancrum*, bind and oblige me, that I shall remove myself forth of his Majesty's dominions, within the space of eight weeks, after the date hereof, and that I shall

"not

“ not remain within the same hereafter, without licence
 “ from his Majesty or Privy Council, under the pain
 “ of death: And that I shall depart from *Edinburgh* to
 “ the north side of *Tay*, and there remain while my
 “ departure, and that my going off from *Edinburgh*
 “ shall be within forty eight hours after the date hereof.
 “ Subscribed at *Edinburgh*, December the 11th, 1662.

1662.



JO. LIVINGSTONE.

This Mr. *Livingstone* was honoured remarkably of God, to be the instrument of the conversion of thousands. In the year 1630, by his sermon on the *Monday* after the communion at the Church of *SHOTS*, from *Ezek. xxxvi. 26.* about five hundred persons dated their saving change. About two or three years after, such another, and a more plentiful effusion of the spirit attended a sermon of his at a communion at *Hollywood* in *Ireland*, where about a thousand were brought home to Christ. And great success attended him in the ordinary course of his ministry. He was one of those who was sent to the King at *Breda*, and the person who tendered the Covenant to his Majesty before he landed in *Scotland*. What to think of the *Prelates*, who could not be easy, till they had got rid of such a man as this, must be left to the reader. He went to *Holland*, where he lived till *August* 1672, and then entered into the joy of the Lord. While in *Holland* he made a latin version of the Old Testament, which was approved of by *Voetius*, *Essenius*, *Nethenus*, *Leusden*, &c. but it was never printed.

His success in the ministry.

Went to Holland.

The same day Mr. *James Gardiner* and Mr. *Robert Trail* were, in like manner, sentenced to banishment for refusing to take the *Oath of Allegiance*, and obliged to subscribe each of them a *bond*, as Mr. *Livingstone* had done, with this difference, that they were to remove in a month's time; however, the Council was pleased to give Mr. *Trail* a little more time.

Messrs. Gardiner and Trail banished.

On the 16th of *December*, Mr. *John Menzies* and Mr. *George Meldrum* appeared personally before the Council, and declaring their readiness to comply with the present established Church-government, so far as to

Mr. Menzies and Mr. Meldrum.

1662. *join in Presbyteries and Synods*, and upon their taking and subscribing the *Oath of Allegiance*, they were recommended to the Archbishop of *St. Andrews*, in order to their restitution. We shall afterwards see how burthensome this compliance was to *Mr. Menzies* before his death. *Mr. Meldrum* was ordained by the Presbytery of *Aberdeen* 1659, but was stopt in the exercise of his ministry by the above mentioned act at *Glasgow*, about fourteen days before the Bishop of *Aberdeen's* first diocesan Synod, at which the Bishop passed a sentence of deposition against the learned and pious *Mr. Menzies* for not subscribing to the oath of *canonical obedience*, though he offered submission to the present Church-government, and joined *Mr. Meldrum* in the same sentence, though he was neither present nor summoned to be present; however the Council finding them willing to join in Presbyteries and Synods, recommended them both to the Primate, in order to their being restored. When this was presented to the Bishop, he readily promised to obey it, but never spoke to them one word of the oath of *canonical obedience*. And when in his letter to the Bishop of *Aberdeen*, he signified that they were willing to own the government, *Mr. Meldrum* refused to receive it, unless he added this qualification, *so far as to join in Presbyteries and Synods*, to which the Primate agreed, since they would take it in no other terms. However, *Mr. Meldrum* declared his repentance for subscribing that paper of submission, though he never took the oath of *canonical obedience*. This great man was remarkably useful with his colleague *Mr. Menzies* in *Aberdeen* against the *Quakers* and *Jesuits*, till the self-contradictory *Test* turned him out of that city. And after he had, with many faithful Ministers, suffered no small persecution till King *JAMES's* toleration, he was settled at *Kilwinning*, and from thence translated to *Edinburgh*, where he filled the chair of divinity with much reputation.

Mr.
Neave,
&c.

On the 23d of *December*, *Mr. John Neave* appeared before the Council, and was obliged to sign a *bond*, to remove out of the nation against the first of *February*, upon his refusing the *Oath of Allegiance*; and for the same cause *Mr. John Cameron* was ordered to confine himself

himself within the bounds of *Lochaber*. Mr. *James Nasmyth* and Mr. *Samuel Austin* were referred to the Commissioner, who was to deal with them as he saw proper: but he soon left the country, and it seems he remitted Mr. *Nasmyth* to the Council, who ordered him to confine himself within the bounds of the Sheriffdom of *Merse*. Mr. *Alex. Dunlop* Minister at *Paisley* was likewise sentenced to be banished, for the same reason with the rest, but happened to be overlooked. Mr. *Alexander Gordon* was prevented, by a violent fever, from being ordered before them. Thus Masters *Livingston, Trail, Brown, Neave* and *Gardiner* went over to *Holland*, which, at that time, was the azylum of the banished, merely for refusing the oath of *Allegiance*, tho' all of them were willing to take it in the same sense, the Managers said, they had themselves taken it.

CHAP. V.

Of the dismal effects of the ejection of near 400 Ministers. Of the Acts and Proceedings of the Council and Parliament, the Execution of Lord Waristoun, and the sufferings of others during the year 1663.

BY the Act of *Glasgow*, spoke of in the preceeding Chapter, more than a third part of the Ministers in *Scotland* were thrust from their Charges, amounting to near four hundred; and the hardship was the greater, that, generally speaking, they were persons of remarkable grace and eminent gifts. They were godly and laborious, and a great many of them learned and able Ministers, and all of them singularly dear to their people. Most of them had suffered under the *Usurpation* for their loyalty to the King, and for refusing the *Tender*; so that all the *Presbyterians* in *Scotland* suffered in a most sensible part, by being deprived of their dear and faithful Pastors, who had been so very useful among them, especially as those, who were intruded into their Charges, were men of a quite different character.

1663.

Character
of the
ejected
Ministers.

Bishop

1663. Bishop Burnet says, that the prejudices of the people against *Episcopacy*, “ was out of measure increased by the new incumbents, who were put in the places of the *ejected* Preachers, and were, generally, very mean and despicable in all respects. That they were the worst Preachers he ever heard : they were ignorant to a reproach, and many of them were openly vicious. They were a disgrace to their orders and sacred functions, and were indeed the dreg and refuse of the northern parts. Those of them, who rose above contempt or scandal, were men of such violent tempers, that they were as much hated, as the others were despised.”

Character
of the In-
truders.
p. 153.

The people would not hear them. It is easy then to perceive, how dismal the circumstances of the faithful *Presbyterians* were, at that time, when so many places, especially in the West and South, were left destitute ; for the most part in the North country conformed. They could not, in conscience, hear the new incumbents, called by the country people *Curates* ; because, in so doing, they would have countenanced those, who had broken the COVENANT, and overturned the whole work of Reformation : this would have been a virtual acknowledgment of the *Authority* of the *Prelates*, and an approbation of that wicked *Act*, by which their own lawful Ministers were *ejected*. Besides, these *Curates* had not the qualifications of Ministers ; for they were neither sound in the faith, nor moral in their practice ; neither had they a right to officiate in the places where they were thrust in, because, instead of having the consent and approbation of the people, they were imposed upon them by compulsion and violence.

Original
of Field-
meetings.

As the people could not hear the new incumbents, so, in many places, they had 20 miles to run before they could hear sermon ; some of them repaired to the older Ministers, who were not affected by the act of *Glasgow*, and they who could not reach them, frequented the family worship and exercises of the *ejected* Ministers. And the numbers were so great that came to their houses, that several of them were obliged to preach without doors, and at length to go to the open fields. This was the original of FIELD MEETINGS in *Scotland*, which, afterwards, made so great a noise, that some years after it

was

was made death by law, first to the minister, and then to the hearers.

1663.

The ejection of so many excellent men could not fail to lay the foundation of much distraction and trouble, especially as it was for no other fault, but adhering to their known and professed principles, even to the doctrine, worship, discipline and government, of the Church of *Scotland*, and to those sacred *Covenants* which they had frequently sworn and often renewed. This was the cause, for which they were obliged to wander, with their numerous families, many of them knew not whither, for many miles in the winter season : but a good and gracious God wonderfully provided for them and theirs, to their own confirmation and amazement.

Scotland was never witness to such a Sabbath as the last when these Ministers preached. It had not its parallel, except to the *Presbyterians* in *England*, on the 17th of *August* last year, for it was a day of mourning and lamentation, and the beginning of great sorrow to the godly through the nation.

Before I begin the consideration of the acts of Council and Parliament this Year, I would observe, that in *February* died Mr. *David Mitchel*, who was made first Bishop of *Aberdeen* after the Restoration, tho' his character did not merit any elevation in the Church, and was succeeded by Mr. *Alexander Burnet*.

This Mr. *Mitchel* had determined to go to the Church of *Maryculter*, in the Presbytery of *Aberdeen*, and declare the same vacant, but, as I am assured by a worthy Minister now at *Aberdeen*, he died the *Saturday* night before ; so that the pious and excellent Mr. *Leask*, Minister of that Parish, notwithstanding his non-conformity, possess'd his Church till the year 1670, either, as my informer says, through some indulgence of Bishop *Scougal*, or some remarkable restraint he was under. When Mr. *Leask* was on his death-bed, the episcopal incumbent of *Peterculter* went to see him, and ask'd him what his thoughts were now. To which the holy man replied, *I am dying in the Faith of what I have held, and am as full of glory, as a clay vessel can hold* : Then bowed his head and died. There are other two instances

1663. of *Presbyterian* Ministers in the Synod of *Aberdeen* that kept their parishes, notwithstanding the act of ejection, of which I have an account from the same person, which may be depended upon, viz. that of Mr. *Dumbar* Minister at *Kearn* in the presbytery of *Alford*, who, partly protected by Lord *Forbes*, whose parish Minister he was, and partly by his insignificant benefice of 300 marks a year, continued many years till he died. Mr. *Gilbert Clerk* Minister at *New-deer* in the presbytery of *Deer*, having been Chaplain to Collonel *Keith*, afterwards Earl Marshal, and called *King* in *Buchan*, was protected in his church by him, till the time of the TEST, when the noble Earl could not keep himself in any publick office without taking that contradictory oath. Mr. *Wodrow* has given a large list of the ejected Ministers, &c. *Appen.* N°. 37, to which I must refer my reader.

Middle-
toun turn-
ed out.

When the Earl of *Middletoun* went to *London* about the end of the last year, he met with a very cold reception from his Majesty; for the Earl of *Lauderdale* his rival had represented to the King, the unjust proceedings with respect to the act of fines, whereupon his Majesty wrote to his Privy Council in *Scotland*, dated *January* the 23d, ordering them to issue out a proclamation for suspending the execution of the said act, till further orders. The Council received this letter on the 12th of *February*, and, the same day, drew up a proclamation accordingly. But next day they received a letter from the Earl of *Middletoun*, desiring them, in his Majesty's name, to do nothing in that affair, and therefore they stopt the publishing of the proclamation, and recommended to the Lord Chancellor, to write to the Commissioner *Middletoun*, to signify the same to his Majesty. The King was so displeased, upon receiving this informatinn, that on the 10th of *March* he sent another letter to the Council requiring the orders he had given in his former to be punctually obeyed. And therefore the Chancellor ordered the proclamation to be published at the cross of *Edinburgh*, for which he had the Council's approbation and thanks. *Lauderdale*, having got the King's ear, managed his affairs so well, that *Middletoun* was obliged to resign all his places.

During

During these things, “ *Sharp* was prevailed with to go to court. He promised to all the Earl of *Middletoun*’s friends, that he would stick firm to him, and that he would lay before the King, that his standing or falling must be the standing or falling of THE CHURCH. Of this the Earl of *Lauderdale* had advice sent him. Yet when *Sharp* came to *London*, and saw, that the King was alienated from Lord *Middletoun*, he resolved to make great submissions to Lord *Lauderdale*. When he reproached him for his engagements to the Earl of *Middletoun*, he denied all, and said, he had never gone farther than what was decent, considering his post. He also denied he had wrote to the King in his favour ; but the King had given the original letter to Lord *Lauderdale*, who upon that shewed it to *Sharp*, with which he was so struck, that he fell a crying, in the most abject manner. He begged pardon for it, and said, what could a company of poor men refuse to the Earl of *Middletoun*, who had done so much for them, and had them so intirely in his power ? The Lord *Lauderdale*, upon this, comforted him, and said, he would forgive them all that was past, and would serve them and the CHURCH at another rate than Lord *Middletoun* was capable of doing. So *Sharp* became wholly *his*.”

1663.
Sharp’s
conduct.
Burnet, p.
210, 201.

Middletoun after this lived in obscurity, till the Governor’s place at *Tangier* fell vacant by the death of the Lord *Rutherford*. Then the King was prevailed upon to confer that post upon *him*, as a reward for establishing of *Prelacy* in *Scotland*. And thus, after *he* had banished so many worthy and excellent Ministers, he was himself sent to die in a foreign land. He lived in contempt *there* for a little while ; and at last, by a fall, he broke the bone of his right arm, and the broken bone, at another fall down a pair of stairs, pierced his side and wounded him in such a manner, that he first turned stupid, and very quickly died. My author says, that, at the time of taking the *Covenant*, such was his zeal for it, that, coming from the place where he and several more had taken it, he said to some Gentlemen and others about him, “ That *this* was the pleasantest day ever

Middle-
toun
Governor
of Tan-
gier.

His death.

“ he said seen, and if ever he should do any thing

1663.

“ against *that blessed work*, he had been engaging in, “ holding up his right hand, he wished to God, *that* “ might be his death.” Thus fell the great overturner of the Reformation in *Scotland*.

Alterations,

Upon *Middletown's* resignation, *Lauderdale* had the management of the *Scots* affairs committed to him, and came down to *Scotland* along with the Earl of *Rothes*, who was made the King's Commissioner to the ensuing Session of Parliament, and the Earl of *Tweeddale* was made President of the Council.

Ministers of Galloway and Dunkeld ejected.

During these things, the Council had scarce ended the persecuting the west country Ministers, before they commenced a new process against a greater number in the Synod of *Galloway*, to which it is likely, they were instigated by the Bishop of that diocese, because few or none of them had *conformed*, nor given their attendance on their meetings. Accordingly, on the 24th of *February*, the Council ordered about twenty six of them to remove with their wives, children, servants and substance from their houses, and the bounds of their respective Presbyteries, by the 24th of *March*, at the same time prohibiting them to exercise any part of their ministerial office, and to appear on the said day before the Council. And accordingly, nine of them appeared and declared they were not *free to conform* to the present establishment, but were willing to remove; however, the prosecution against them was postponed, and all the others, who did not appear, were obliged to leave their Churches and habitations, though some of them had been ordained *before the year 1649*, and consequently were not included in the *Glasgow* act of ejection. And about fourteen Ministers of the diocese of *Dunkeld*, were served in the same manner. Such were the desolations, which were *then* made at the instigation of the *Prelates*.

On the 3d of *March* the Council appointed one Mr. *John Wilkie* to collect the vacant stipends, which were now very many, and would amount to a considerable sum, to distribute them among those whom they called *sufferers* in the late times, though the reader cannot but see, that the *presbyterian* Ministers were among the

greatest,



greatest, and were now brought under intolerable hardships. At the same time they postponed the *diocesan* meeting in *Galloway* to the 2d *Wednesday* of *May*: The true reason was, because few or none of the *Ministers* there, would countenance it with their presence.

And though, on the 24th of *March*, they recommended to each of the *Bishops* to use their utmost endeavours to suppress the dreadful growth of *Popery*, yet they acted in this matter with a very slack hand; whereas, had they been as zealous for suppressing *Popery*, as they were for rooting out of *Presbytery*, they would not have found much difficulty.


Faint efforts against Popery.

The same day, they desired the Lord Chancellor to write to Sir *James Turner*, or any other person he should judge proper, to take notice of all persons, who keep up private meetings or *Conventicles*, for alienating the hearts of the subjects from the present establishment in Church and State, and to give an account of them to the Council. These, it seems, were either the meetings for worship in the houses of the *ejected* Ministers, or those among good people for prayer and religious conference; but how far these tended to alienate the hearts of the people from his Majesty, must be left with the reader: But it is too well known, that *prelatick* men, in this Church, have ever been against such religious societies, though they had much of the Lord's countenance and presence among them, especially in this persecuting period.

Order about private meetings.

It might therefore be reasonably expected, that the settlement of the Curates would meet with opposition in several places. Accordingly, at *Irongray* near *Dumfries* and at *Kirkcudbright*, the inhabitants openly opposed those that were intruded upon them. The famous Mr. *John Welsh* had been Minister at *Irongray*; and his ejection was so grating to the people, that, when the Curate found he could not obtain a peaceable admission, he returned upon them with an armed force: But the women of *Irongray*, headed by one *Margaret Smith*, opposed a party of soldiers, who were guarding the Curate, and fairly beat them off with stones.

Opposition at Irongray and Kirkcudbright.

1663. stones. A tumult of the like kind happened, about
 the same time, at *Kirkcudbright*.

Commis-
 sioners ap-
 pointed.

Upon this the Chancellor wrote to the Magistrates of *Kirkcudbright* to apprehend the persons principally concerned in the riot there, and, at the same time, gave a Commission to the Earls of *Linlithgow*, *Galloway* and *Annandale*, the Lord *Drumlanerk* and Sir *John Wauchop* of *Niddry*, or any two of them, to repair to these places, to examine into the affair, and to apprehend and imprison all, whom they should find to have been concerned; and, the more effectually to execute their Commission, the Earl of *Linlithgow* was ordered to take along with him an hundred horse and two hundred foot of the King's guards, to take free quarters in the parish of *Irongray*, or to raise from the Burgh and parish as much money, as would amount to half a crown a day for every horseman, and one shilling for every foot soldier, during their stay there, besides the ordinary pay of the officers, and, by force of arms, to suppress all meetings or insurrections of the people, if any should happen.

Several
 imprisoned,
 &c.

Those that were found most guilty at *Kirkcudbright*, were *John* Lord *Kirkcudbright*, *John Carsan* of *Sennick* and *John Euart* late Provost there, and about five women, who were all carried prisoners to *Edinburgh*. There were about fourteen other women, who were found accessary, and were ordered to be imprisoned, till they found bail to appear before the Council. One *William Arnot* was found chiefly concerned at *Irongray*, and was sent to *Edinburgh* with the rest; all who visited them in prison were, by the order of Council, watched, least they should pray with them. *Margaret Smith*, above mentioned, was likewise carried to *Edinburgh* and sentenced to be banished: But when before the Magistrates, she told her tale so innocently, that the sentence was not executed. What was done with Lord *Kirkcudbright* I cannot tell: but *Carsan*, *Euart*, and *Arnot* were fined in a most immoderate degree. *Arnot* was ordered to acknowledge his offence two several Lord's days at the Church of *Irongray*, and the five women to stand two hours in the pillory at *Kirkcudbright*, for two
 several

several market days, with papers on their foreheads signifying their fault. And though they had no proof against any particular persons at *Irongray*, yet, because there had been a tumult, the whole party of horse and foot were ordered to take free quarters in the parish, besides other oppressions. Such were the proceedings of the Managers, because a few women in two parishes had put some affronts on the Curates. The rest, after a considerable times imprisonment, were set at liberty.

1663.

Earlestown troubles begin.

It was when these Commissioners were in the south, that the troubles of the excellent Laird of *Earlestown* began: The Commissioner on the 21st of *May* wrote to him from *Kircudbright*, requiring that he would order an edict to be served in favour of one Mr. *Hay* to be admitted Minister at *Dalry*, of which he was patron. *Earlestown* returned a most respectful answer, in which he gave most solid reasons, why he could not comply with what they required. The Commissioners, who knew his steady attachment to *presbyterian* principles, and were resolved to bring him into trouble, upon this summoned him before the Council, where he met with very harsh and severe treatment, as we shall afterwards find.

On the 24th of *May*, a petition was presented to the Council from Mr. *James McKill* late Minister at *Largo*, for leave to attend a meeting of the tutors of the late Viscount of *Oxenford's* children, of which he was one; for the reader must observe, that those Ministers, who were not reached by the *Glasgow* act, were confined to their own parishes as prisoners at large, so that upon every civil affair, they were obliged to apply to the Council for liberty to come out of their confinement.

The restraint on Ministers.

On the 2d of *June*, they made a very good act against the *Quakers*; but the Bishops gave the Council so much to do against the *presbyterian* nonconformists, that these people were suffered to rest in quiet; for they mightily increased during this reign.

Act against Quakers.

On the 15th of *June*, were read in Council the Earl of *Rothes's* Commissions to be Commissioner to the Parliament in the room of *Middletoun*, and Lord high Treasurer in the room of the Earl of *Crawford*, who resigned that office, because he could not sign the *De-*

Additions to the Council.

claration

1663. *claration* appointed by the Parliament last year (p. 137.)
 At the same time *Lauderdale* took his place in the Council, with his brother *Charles*, afterwards Lord *Hattoun*, and *John Hume* of *Rentoun*, together with the two ARCHBISHOPS.

Parliament sits down.

On the 18th of *June* the Parliament sat down, and the Bishop of *Aberdeen* preached before them. The business of this Session went on according to the direction of the Earl of *Lauderdale*, and the whole former proceedings, in the affair of *ballotting*, was laid open, which finished *Middletoun's* disgrace.

The former Sessions had left very little for this to do, in favour of the Prelates, unless to screen them from the opposition of the country, and lay a foundation for a more open and universal persecution than was ever in *Scotland* since the *Reformation* from *Popery*.

Their 2d act.

Thus by their 2d act, entitled *Act against separation and disobedience to ecclesiastical authority*, all nonconformist Ministers, that shall presume to exercise their ministry in *any manner* whatsoever, were to be punished as seditious persons, and all withdrawing from, and not attending upon the worship of God, in their own parish Churches, was declared seditious and of dangerous example and consequence; and therefore all, who were found guilty, in this respect, were to incur the following penalties, *viz.* Each Nobleman, Gentleman and Heritor, the fourth part of his yearly revenue, every yeoman, tenant or farmer the loss of such a proportion of his free moveables, after paying his rent, as the Council shall think fit, not exceeding a fourth part, and every Burgeſs the loss of his freedom, and the fourth part of his moveables; and the Council was authorized to put this act in execution, and inflict such other corporal punishment, as they should see proper, and do every other thing that they should see necessary for procuring obedience to this act, which was *the Bishop's drag-net*.

It is plain, that this act strikes both at Ministers and people; for they, who had received their ministry from Christ, were forbid to discharge the same under severe penalties, unless they renounce their principles, and, in opposition to the dictates of their own con-

science,

science, complied with abjured *Prelacy*: The people *must* hear the intruders; and in short, an unlimited power was given to the Council. 1663.

By their 3d act, all in publick trust were required to sign the *Declaration* appointed last year (page 137, 138.) against the 11th of *November*, and returns were ordered to be made to the Council by the 1st of *January*; and if persons, elected to be Councillors and Magistrates, refuse to sign, they were for ever declared incapable of being Magistrates, and to forfeit all the privileges of merchandizing. So that if a party had a mind to get rid of any conscientious *Presbyterian*, who had a good trade, they had no more to do, but to get him *chosen* a Magistrate or Councillor; for they were sure, he would not sign the *Declaration*. Their 3d act.

The 5th act was for establishing a national Synod consisting of the Archbishops and Bishops, Deans and Archdeans, &c. but then nothing was to be enacted that could not be confirmed by the King or his Commissioner. It was declared, that it was necessary for the honour of God and the good of souls, that there be a national Synod; and if so, then the *Prelates* had neither of these before their eyes; for the Bishops, who framed this act, and with whose concurrence, and at whose desire it passed, took effectual care to prevent the meeting of any such Synod. Their 5th act.

This Parliament, says Mr. *Wodrow*, ordered a levy to be made, if need be, of twenty thousand foot and two thousand horse, for the preservation of *Christendom* against the *Turks*, and adds, that though it was never made, yet it had been much better employed this way, than in persecuting Protestants. *Burnet* relates it thus, p. 205: Act about an army.

“ Another act was looked upon as a pompous complement; and so it passed without observation, or any opposition. In it they made an offer to the King of an army of 20000 foot and 2000 horse, to be ready, upon summons, to march with forty days provision into any part of his Majesty's dominions, to oppose invasions, to suppress insurrections, or for any other cause in which his authority, power or greatness was concerned. None dreamed, says the Bishop, that

1663. ever any use was to be made of this; yet *Lauderdale* had his own end in it, to let the King see what use he might make of *Scotland*, if he should intend to set up arbitrary government in *England*. The rest of the acts of this Session, relating to civil affairs, don't come under our present consideration.

On the 24th of *June*, Lord *Lorn*, who was condemned the last Session, was set at liberty from the castle of *Edinburgh*, and a few days after the end of *this* a patent came down, restoring him to all his grandfather's estate. But because his father the Marquis of *Argyle* was much in debt when he died, his Lordship was to have fifteen thousand pounds a year, and the rest to be appropriated for paying off the debts.

Account of
Lord War-
rirstoun.

But Sir *Archibald Johnston*, Lord *Warrirstoun*, met with quite different usage. This excellent, pious and learned person had been obliged to go abroad, to escape the fury of his enemies, orders having been given to apprehend him, and the first Session of Parliament having passed sentence of forfeiture and death against him in his absence.

Apol. Re-
lat. Prof.

When he was at *Hamburg*, he was seized with a severe illness, during which Dr. *Bates*, one of King *CHARLES's* Physicians, gave him *poison* instead of physick, and then ordered to draw from him sixty ounces of blood, by which he was brought to the gates of death, and so far lost his memory, that he could not remember what he had done or said a quarter of an hour before, and continued in that condition ever after.

Appre-
hended at
Roan.

At last, going unadvisedly into *France*, one *Alexander Murray*, commonly called *crooked Murray*, was dispatched in quest of him, and apprehended him at *Roan*, while engaged in secret prayer, a duty in which he took great delight. In *January* he was brought over prisoner and committed to the Tower of *London*, where he continued till the beginning of *June*, when he was sent down to *Edinburgh* to be executed. His carriage, during his passage, was truly *Christian*. He landed at *Leith* on the 8th of *June*, and was committed to the Toll-booth of *Edinburgh*. He was bought before the Parliament on the 8th of *July*. His nephew Bishop *Burnet* says, that he was so disordered both in body and mind, that it

was a reproach to any government, to proceed against him. When at the bar of the house, he discovered such weakness of memory and judgment, that every body almost lamented him: But Archbishop *Sharp* and the Bishops, who then sat in the house, scandalously and basely triumphed over him, and publicly derided him, though 'tis well known, Lord *Warristoun* was once in case to have reasoned before the greatest Assembly in *Europe*, nay, and to have presided in it.

1663.




It seems, that many of the members of Parliament were inclined to spare his life; for upon the question, *Whether the time of his execution should be just now fixed or delayed?* *Lauderdale* interposed, upon the calling of the rolls, and made a most threatening speech for his present execution: Accordingly sentence was pronounced against him, that he should be hanged at the cross of *Edinburgh* on the 22d of *July*, and his head placed on the *Nether-bow Port*, beside that of Mr. *Guthrie*. He received his sentence with such meekness, as all were filled with admiration; for then he desired that the best blessings of heaven might be upon his Majesty, on the State and Church, whatever befel himself, and that God would give his Majesty *true* and *faithful* Counsellors.

Sentence.
to die.

During the whole time of his imprisonment, he was in a most spiritual and tender frame, to the conviction of his very enemies; and the nearer his death approached, the composure of his mind became the more conspicuous. He rested agreeably the night before his execution, and in the morning was full of consolation, sweetly expressing his *assurance* of being cloathed with a long white robe, and of getting a new song of the Lamb's praise in his mouth before night. He dined with cheerfulness, hoping *to sup in heaven*, and *to drink the next cup fresh and new in his Father's kingdom*. And after he had spent some time in secret, about two o' clock he was taken from prison attended by several of his friends in mourning, though he himself was full of holy cheerfulness and courage, and in a perfect serenity of mind. When going to the scaffold, he said frequently to the people, *your prayers, your prayers!* When he was on the scaffold, he said, *I entreat you quiet yourselves a*

His beha-
viour.

1663.

 little, till this dying man deliver his last words among you; and desired they would not be offended at his making use of his paper, to help his memory, so much impaired by long sickness, and the *malice of physicians*; then he read his speech twice, first from the one side of the scaffold, and then from the other, in which he bewailed his *compliance* with the usurpers, declared his adherence to the *Covenants* and *work of Reformation*. The speech is printed in *Naphtali*, and in my author's appendix, to which I must refer the reader. After this he prayed with the greatest fervency, and in a very rapture, beginning thus, *Abba, Abba, Father, Father, accept this thy poor sinful servant coming unto thee, through the merits of Jesus Christ, &c.* There were no Ministers allowed to be with him; but one present observed, that God sufficiently made up that want. He was helped up the ladder by some of his friends in deep mourning. And as he ascended, he said, *Your prayers, your prayers, I desire your prayers in the name of the Lord.* Such was the value he had for *that duty*. When got to the top of the ladder, he cried with a loud voice, "I beseech
" you all, who are the people of God, not to scare at
" sufferings for the interest of Christ, or stumble at any
" thing of this kind falling out in these days: But be
" encouraged to suffer for him, for I assure you in the
" name of the Lord, he will bear your charges." At last he bid the executioner do his office, and crying out, *O pray, pray! praise, praise!* was turned off, and died almost without any struggle, with his hands lifted up to heaven. He was buried in the *Grey-friers Church-yard*, and his head was fixed on the *Nether-bow* beside that of his dear friend *Mr. Guthrie*. And thus fell the eminently pious and learned *Lord Warriestoun*; so that as the *foundation of Prelacy* was laid in the blood of the noble *Marquis of Argyle*, and the worthy *Mr. James Guthrie*, so the building was cemented by the blood of *Lord Warriestoun*.

Mr.
Wood's
case.

A little before the execution of this great man, the Council on the 14th of *July* ordered *Mr. James Wood* principal of the College of *St. Andrews* and Minister there, to be summoned before them on the 23d, for

con-

continuing to exercise his office. He was scarcely allowed to speak in his own defence, and was sentenced to confine himself within *Edinburgh*, till further orders. Upon which he told them, *He was sorry they had condemned a person without hearing him, whom they could not charge with the breach of any law.* 1663. ~~~~~

At the same time the Council, at the instigation of the Bishop of *Glasgow*, ordered Masters *Alex. Livingstone* late Minister at *Biggar*, *Matthew Mackail* at *Bothwell*, *John Guthrie* at *Tarbolton*, *John Blair* at *Mauchlin*, *John Schaw* at *Selkridge*, *George Johnston* at *Newbottle*, *John Hardy* at *Gordon*, *Archibald Hamilton* at *Wigtown*, *Geo. Wauch* at *Kirkcinner*, and *Anthony Murray* at *Kirkbean*, to appear before them on the 23d of *July*, under the pain of rebellion. Accordingly Mess. *Hardie*, *Mackail* and *Livingstone* appeared, and were confined within the city of *Edinburgh*, till further orders, and, in the mean time, discharged from keeping any *private* Conventicles. *The case of other Ministers.*

That same day a deputation was appointed to wait upon the Commissioner, to take some general course with all the nonconformist Ministers, and on the 30th of *July*, Mr. *Matthew Ramsay* at old *Kirkpatrick*, Mr. *James Walkinshaw* at *Badernock*, Mr. *Hugh Smith* at *Eastwood*, Mr. *James Hamilton* at *Blantyre* or *Eglisham*, and Mr. *James Blair* at *Cathcart*, were ordered to answer for their seditious carriage, *i. e.* for continuing to preach the gospel under pain of rebellion : Accordingly Mr. *Hardie* appearing, and owning that he had preached, the Council declared his Church vacant, and ordered him, within fourteen days, to remove twenty miles from his parish, six miles from any cathedral Church, or three miles from any royal Burgh in all time coming. And this was a prelude to the *mile act* we shall presently hear of. On this said 30th of *July*, letters were ordered to be directed to summon Mr. *William Gordon* of *Erlestoun* to appear before them for his factious and seditious carriage, *i. e.* his refusing to hear the Curate, and his favouring the ejected Ministers.

Mr. *Mackail* ventured back to *Bothwell* and escaped for some time. Mr. *Livingstone* is said to have been confined to his parish, till further orders. Mess. *Johnston*,

1663. *Stoun, Cunninghame and Mr. Blair* were confined to the north-side of the *Tay*. *Mr. Ramsay* was remitted to the Archbishop of *Glasgow*; and *Mr. Smith* and *Mr. Walkinshaw* were ordered to obey the *mile act* made a few days before.

The Scots mile act.

For on the 13th of *August*, the Council, taking under their consideration, that several Ministers, who, by law (*i. e.* the laws *lately* made) have no right to preach or reside in their parishes, do, notwithstanding, preach, administer the sacraments and keep disorderly Conventicles, &c. made an act, and published a proclamation commanding all such Ministers, within twenty days after the publication of the same, to remove themselves, families and substance out of their respective parishes, and not to reside within twenty miles of the same, nor within six miles of *Edinburgh* or any cathedral Church, or three miles of any royal Burgh. This act extended to those Ministers, who were ordained before 1649, unless they attended the Bishop's Courts.

Remarks.

Now here we may see, 1. That the Council had neither instructions from the King, nor authority from the Parliament, to make this act, but they agreed to it and published the proclamation, even though the Parliament *was then sitting*, so that they assumed a power properly parliamentary, under their very nose. 2. This shews the persecuting spirit and temper of the Bishops; for this was the first act of Council, after the *two* Archbishops *were members of it*, and 'tis not unlikely, that it was entirely owing to them, who could not endure *presbyterian* Ministers in their neighbourhood. 3. Every person must see, what hardships poor Ministers and their small families were put to by this. They were removed, merely for conscience sake, far from their beloved people, who might, and doubtless would have relieved them in their necessities; nay, by this they were deprived of the means of educating their children, at least they must be at double charges, and have them removed from under their inspection, when at school; but *the tender mercies of the wicked are cruel!*

All against persons from Ireland, &c.

The Bishops being vexed that any *presbyterian* Ministers from *Ireland* should have shelter in *Scotland*, and



and that numbers refused to hear the Curates, the Council on the 7th of *October* made an act, ordering all persons, who should come from *Ireland*, without sufficient testimonials, either to return within fifteen days, or be imprisoned and treated as seditious persons; and declaring that all persons, who withdraw from their parish Churches, after three admonitions given them by the Ministers of the respective parishes, shall be proceeded against upon the Minister's attestation of his having intimated the names of such persons; and all Noblemen, Sheriffs, &c. and officers of the army were required to assist and concur with Ministers, in seeing the law, in that case made and provided, duly put in execution. How equitable it was to make Ministers witnesses in their own cause, and put the executive power into the hands of the army, must be left with the reader.

A few days before the making of the last act, *Side- Sideferse* Bishop of *Orkney* died on the 29th of *September*, *died.* and on the 9th of *October* following the Parliament rose. *The Par-* Bishop *Burnet* says it was dissolved, which gave a general *ment rose.* satisfaction to the country, for they were a *furious set* *P. 205.* of people. We shall hear no more of Parliaments for six years to come. When the Session was ended, several of the quality went to *London*. The Earl of *Roths* met with a gracious reception from his Majesty, and was made a member of the Privy Council of *England*. But to return to the affairs of *Scotland*, where things were still growing worse and worse, and the effects of *Prelacy* appearing more and more dismal,

On the 13th of *October*, the Council gave orders to *Soldiers* the Earl of *Linlithgow* to march with a number of foot *sent to* to *Kirkcudbright*, which, with the soldiers there already, *Kirkcud-* might make 160 men, to quarter till further orders, *bright,* &c. and, at the same time, commanded Sir *Robert Fleming* to march two squadrons of the life-guards, one to quarter at *Kilmarnock*, and another at *Paisley*.

On the 2d of *November*, Archbishop *Fairfoul* died at *Fairfoul* at *Edinburgh*, and was interred with great funeral so- *died.* lemnity in the east end of the *Abbey Church*.

On

1663. On the 24th of *November*, the Council being informed, that the Laird of *Earlestown* kept Conventicles and private meetings in his house, notwithstanding the laws against such practices, ordered letters to be directed against him to appear before them the — day of — to answer for his contempt, under the pain of rebellion. We shall find more concerning this worthy Gentleman afterwards.

*Thanks
given Sir
James
Turner.*

On the same day, *Linlithgow* was ordered to write a letter of thanks to Sir *James Turner*, for his care and pains, in seeing the laws concerning Church-government duly obeyed, &c.

*His cha-
racter.
p. 160.*

This Sir *James*, as the author of the memoirs of the Church of *Scotland* observes, “ was a tool to their minds, a stranger in the country, being an *Englishman*, bred to plunder and rapine in the service of the *French*, perfectly void of the fear of God or man, and unacquainted either with religion or humanity.” But though he was ready enough to execute his orders with rigour, yet he was obliged to exceed the bounds of his own inclinations to satisfy the Bishop of *Galloway*, who was fierce and cruel, as all *apostates* use to be.

*Forces sent
to the west
and south.*

The Council, finding, that the body of the people in the west and south were most dissatisfied with *Prelacy*, and having given the army power to levy the fines appointed by Parliament, sent a considerable body of forces, with the strictest orders, to oblige all persons, to submit to the Bishops and their Curates, which occasioned the most grievous oppressions and exactions, *under colour of law*.

*Their ex-
actions.*

The process was very short in cases of *nonconformity*. The Curate accused whom he pleased to Sir *James*, or any of the officers, and frequently to a private sentinel. The soldier is judge, no witnesses or proof is required ; but the sentence is summarily pronounced, and the soldier executes his own sentence, and that with the greater cheerfulness, as the money, generally speaking, came into his own pocket ; and often the fine exceeded what the law appointed. They behaved, just as if they had been in an *enemies country* ! If a tenant or head of a family was unwilling or unable to pay, the soldiers

were

were sent to quarter upon him, till they had destroyed 1663.
 ten times the value of the fine, and when poor families were no longer able to sustain them, their goods were distrained and sold for a trifle.

In these quarterings, family worship was made a ri- *Their in-*
 dicule, and they, who performed it, were treated by *solennities.*
 the villainous soldiers, as if it had been a *Conventicle*,
 and contrary to law. Multitudes were cruelly beat and
 and dragged to Church or prison with equal violence.
 And thus hundreds of religious families, in the west and
 south, were scattered, and reduced to extreme necessity,
 and the masters of them were obliged either to conceal
 themselves or leave the country. Now whether this was
 a proper method for *establishing Church-government*, or
 for executing the law, the reader must judge. If it be
 said, that none can account for the extravagancies of
 soldiers; then the more to blame they, who entrusted
 them with such power, and did not cashier the officers
 for not restraining them.

But the *blest* Curates had no small share in this op- *Promoted*
 pression; for, in most parishes, they made a list of *by the*
 their congregations, not for the performance of any *Curates.*
 part of their ministry, (that was the least of their
 care) but to expose their *nonconforming* parishioners to
 ravages of *their* army. After sermon, this list was
 called over from the pulpit, and all who were absent,
 except some favourites, were delated to the soldiers;
 after which no defences could be heard, the fine must
 either be paid or their houses quartered upon.

As the Churches of the old *Presbyterian* Ministers,
 who were not as yet ejected, were crowded to the last
 degree, so the soldiers repaired to their parishes, and
 when the worship was near over, went armed to the
 Church doors or Church-yard gates, and obliged the
 people to go out one by one, and declare upon oath,
 whether they belonged to that congregation; and they
 who could not do this, though their own parishes were
 vacant, were immediately fined, and what money they
 had about them taken from them. If they had no
 money, then their bibles, the men's coats and the wo-
 men's plaids were seized by these wretched executioners;

1663. so that, on the Lord's day, the soldiers returned from these Churches laden with spoil; nay, in some places they would enter these Churches by force, and interrupt divine worship. One party would stand at one door, a second at the other, and a third entered the Church, and obliged the people to go all out at one door, and they, that would not presently swear they belonged to that parish, were rifled of all that they had, and sometimes dragged to prison; and after all the poor people were forced to give it under their hand, *that they were kindly used.*

It would seem, that even the Council themselves were ashamed of the rigorous proceeding of these military Gentlemen; for, on the 24th of *November*, they issued a proclamation, forbidding the officers of the standing army to exact any of the penalties contained in the fore-mentioned act, except the † twenty shillings *Scots* from every person who absents from his own parish Church on the sabbath-day. But when soldiers are once let loose, no restrictions will easily tame them.

About the end of the year, the Council were at much pains to press the subscribing of the *Declaration* imposed by the Parliament upon all in places of trust. (p. 137, 138.) But it is time now to go on to,

C H A P. VI.

Of the erection and proceedings of the High Commission, the acts of Council, together with the state and sufferings of the Presbyterians till the year 1666.

1664. *Declara-
tion press'd.* THE King, being pleased with the conduct of his Privy-Council, relating to the *Declaration* against the COVENANT, wrote to the Chancellor, desiring, that they would take all possible pains, that all, who had not yet subscribed it, might be enjoined to it, that the places of those who refused might be supplied with proper persons; this they readily complied with, and gave his Majesty an account of their diligence; nay, they carried this point so far, that some, who were chosen

to be Magistrates were prosecuted for not accepting, because they could not, in conscience, comply with these terms of acceptance; for when *John Porter, Gil. Wylie, John Reid elder, John Gray, Alex. Gardiner, Ninian Holmes*, and some others, who were out of the kingdom, were elected to be Magistrates of *Irvine*, the Council ordered them to be summoned before them, because rather than subscribe against their conscience, they had refused to accept the charge.

But the Chancellor, and some others, were not for driving so fast as the *Prelates* would have them, and *Glencairn* in particular was highly displeased with the insolence of the *Primate*. Accordingly about the end of the last year “ *Sharp* went up to *London* to complain of Lord *Glencairn*, and of the Privy-Council, where he said, there was such a remissness, and so much popularity appeared on all occasions, that, unless some more spirit was put in the administration, it would be impossible to preserve the CHURCH. That was the word always used, as if there had been a charm in it. He moved, that there might be a letter writ giving him the precedence of the Lord Chancellor, and that the King would grant a special commission to some persons for executing the laws relating to the Church. Accordingly the King granted a commission “ to the Archbishop of *St. Andrews*, the Lord Chancellor, “ the Lord Treasurer, the Archbishop of *Glasgow*, “ *Duke Hamilton*, the Marquis of *Mentrose*, the Earls “ of *Argyle, Athol, &c. &c.* or any five of them, an “ Archbishop or Bishop being one of the number, to call “ before them, when and where they should appoint, “ all *popish* traffickers, &c. [but *Papists* lived very quietly under this reign] “ all obstinate contemners of the discipline of the Church, — all keepers of Conventicles, — all who preached in private houses, or elsewhere, without licence from the Bishop, — all who keep meetings at fasts and the administration of the Lord’s supper, not approved by authority, all who speak, preach, write or print to the scandal and detriment of the present government, in Church and State, — all who do not attend divine worship at their

Rise of the High Commission Court. Barnet, p. 206.

Extract of the commission.

1664.

“ their parish Churches, &c. with power to the said Commissioners, or any five of them, an *Archbishop* or *Bishop* being one, to censure Ministers with suspension or deposition, and to punish by fining, confining, &c. all who shall be found transgressors, according as they shall judge of their offence, not exceeding the fines and punishments appointed by the Parliament and Council: [they frequently found pretences to exceed this restriction.] “ Commanding the Captains of his Majesty’s guards, the officers of the army and militia, &c. to search for and apprehend all such delinquents, and present them before the Commissioners, upon warrant from any five of their number: — “ Ordaining further, the Lords of the Privy-Council, to direct letters of *harning*, for the payment of the fines appointed by the Commissioners, in case delinquents should refuse to appear before them. — And generally, the Commissioners aforesaid are authorised and empowered to do and execute, what THEY shall find necessary for his Majesty’s service. — And that a business of such importance may take a speedy successful effect, — it is his Majesty’s pleasure, that this his *Commission* shall endure to the first of *November* 1664, and after, till it be discharged by his Majesty, and that the first meeting thereof be at *Edinburgh* the first *Wednesday* of *March* next to come, and the aftermeetings in such places, and as often as shall be judged necessary. — “ Given at *Whitehall*, *January* the 16th — 1664. —

Remarks.

This was, certainly, one of the most infamous Courts, that ever was erected in any *Protestant* nation. In this *Commission*, there were nine *Bishops* to thirty five laymen but the *Bishops* were made necessary members, and four with any one *Prelate* were declared to be a *Quorum*, which was too small for such a numerous meeting, but then it was so much the better for the purposes of their appointment. After the clause about *Papists*, who were generally overlooked, all that follows is levelled at the *Presbyterians*. And besides the ordinary crimes of *Conventicles*, and Ministers exercising their office, all were exposed to prosecution who keep meetings at *fests* and the *Sacrament of the Lord’s Supper*. These were too serious exercises

exercises for the *Bishops*, whose consciences, probably, smote them, so that they were afraid of the joint prayers and supplications of the Lord's people. Their power was most extensive. They were empowered to hear and determine causes without appeal; they could suspend and depose Church-men, fine, confine and imprison all, who should be accounted transgressors; nay, they were authorised *to do and execute what they should find necessary for his Majesty's service*. And what will not these *Prelates* find necessary for securing themselves and their underlings, if we may judge from their former proceedings? This Court was of a *heterogeneous* nature, and, as one calls it, a *hetch-potch-mongrel-monster*. Here were Bishops and Peers, inferior Magistrates and military officers, &c. all blended together. Their proceeding was as unaccountable, unjust and cruel, as their power and authority extravagant and illegal; for persons were brought before them without any notice, without information, accusation, witness or accuser. But being fetched in, they were obliged to answer *super inquirendis*, to whatever questions were proposed to them. Lawful defences were neither received nor admitted; but if any offered to propose any thing of that nature, he was required first to take the *Oath of Allegiance* or *Supremacy*, the refusal of which was reckoned guilt sufficient. In short, the oppressions and grievances of this *detestable* Court were, in many things, no ways inferior, if they did not exceed *that* of the *Spanish INQUISITION*, of which I shall have an opportunity of giving a few instances, but it will be proper, first, to mention the most remarkable intervening occurrences.

We have seen, that, when *Sharp* moved for the *High Commission* Court, he, at the same time, moved, *Sharp advanced.* that himself might have the *precedence* of all the officers of state, which motion the King likewise complied with: and accordingly sent a letter to the Privy-Council of the same date with the *High Commission*, signifying his royal pleasure, that the Archbishop of *St. Andrews* should have the first place, both at his Council and all other publick meetings, *before the Chancellor* and all other subjects within the kingdom. This letter came down on the
the

1664. the 26th *January*, and not a little disgusted the Nobility, especially the Lord *Glencairn* who was Chancellor. However, they could not help themselves, nor make the least remonstrance against the sovereign prerogative. And indeed now was verified, what *Lauderdale*, about three years ago, told *Glencairn*, that since he and *Middletoun* would have *Bishops*, they should have them with a *Vengeance*. Thus this proud, wicked and aspiring *Prelate* was got almost to the height of his ambition.

Alterations among the Bishops.

About this time, some changes were made among the Bishops; for Mr. *Alexander Burnet* was translated from *Aberdeen* and made Archbishop of *Glasgow* in the room of *Fairfoul* deceased. Mr. *Scougal* succeeded to the Bishoprick of *Aberdeen*, and was reckoned one of the best of that order, and Mr. *Andrew Honnyman* was made Bishop of *Orkney* in the room of *Sideisr* deceased.

Proceedings on the act of fines.

On the 16th of *February* a letter was read in Council upon the subject of the act of fines (page 138.) requiring them to issue a new proclamation, commanding such fined persons as should be charged, in the name of the Treasurer, or his deputy, or the Advocate, before the first of *August* 1664, to make payment of the first half of the fines, by the † term of *Martinmas* next to come, under the penalties of the Act of Parliament, and the other half at or before the term of *Candlemas* following. Accordingly, on the 18th of *February*, next Council day, a proclamation was drawn up and approved of, and ordered to be published at the cross of *Edinburgh*, declaring the same to be as sufficient, as if it had been published at all the head-burghs of the kingdom.

† 10th November.

But the payment was postponed some time longer; for the King sent another letter to the Council, dated the 26th of *July* 1664, requiring such as should be charged betwixt that and the last day of *August*, to pay their first moiety at or before the 11th of *December* next, and the second at or before the 2d of *March*, and a proclamation was published in the terms of the letter. What was the reason of this delay is not known, possibly the courtiers were not agreed about dividing the spoils. But what is delayed is not forgiven; for on the 3d of *November*,
the

the King's letter dated the 17th of *September*, with a warrant enclosed, was read in the Council, who issued a proclamation in the terms of the enclosed warrant, commanding all those mentioned in the list specified in the warrant, or the heirs and executors of such as were dead, to pay the respective sums imposed upon them, the one half at or before *Candlemas*, and the other at or before *Whitsunday* 1665, under the pains and penalties of the Act of Parliament.

1664.

One would imagine, that they who were thus fined, had been guilty of some very notorious crimes, whereas they were chargeable with nothing, but what the managers themselves and the whole nation were guilty of, *viz.* a necessary subjection to the usurpers. And though it be alledged in the *warrant*, that many of the King's subjects suffered greatly for their loyalty to the King and his father: yet it is plain, that, had these fines been distributed among *such* sufferers, the *Presbyterian* Ministers would have had no small share, and many, who were fined, must have been exempted. Besides, how persons could be fined without ever being brought to any trial, must be left with the reader. But this was a period, where little justice or equity was to be seen. We shall afterwards hear with what severity these fines were exacted, though, by this time, the west and south of *Scotland* were sufficiently drained by the army.

Remarks.

This was a time of trouble, the faithful of the land were bore down like a torrent, and the vilest men were exalted; and therefore, in such a time as this, *Presbyterian* Ministers and others used frequently to meet together for prayer in private houses: But, at the instigation of the *Bishops* and their underlings, who could not bear the prayers of God's people, the Council made the following act.

As a-
gainst
private
meetings.

February 23. " The Lords of Council being informed, that there are several private meetings and Conventicles within the city of *Edinburgh*, by some late Ministers and others, contrary to law; these are to give warrant to the Magistrates of *Edinburgh*, to cause search be made † anent, the keeping of any † *About* such meetings, and that they acquaint the Lord

" Chancellor

1664.



Act a-
gainst
Earlstoun

“Chancellor with what they discover, and the persons names, that order may be taken about the same.” The reader is left to make his own remarks upon this *pious* and *religious* act.

On the 1st of *March* the Council passed another act against that worthy Gentleman the Laird of *Earlstoun*, of whom we have heard. p. 159, 165, 168.

“The Lords of his Majesty’s Privy-Council, having considered several accusations exhibited against Mr. *William Gordon* of *Earlstoun*, for keeping of private meetings and Conventicles, contrary to the laws and acts of Parliament, with his own judicial confession, that he had been at three several Conventicles, where Mr. *Gabriel Semple*, a deposed Minister, did preach, viz. one in *Corsack* wood, and other two in wood of *Airds*, at all which three were great numbers of people; and that he did hear Mr. *Robert Paton*, a deposed Minister, expound a text of scripture, and perform other acts of worship in his mother’s house; and that Mr. *Thomas Thomson* another deposed Minister did lecture in his own house to his family on a sabbath day; and that, being required to enact himself, to abstain from all such meetings in time coming, and to live *peaceably* and orderly conform to law, he refused to do the same: Do therefore order the said Mr. *William Gordon* of *Earlstoun*, to be banished, and to depart forth of the kingdom within a Month after the date hereof, and not return under pain of death, and that he enact himself to live *peaceably* and orderly during the said month, under the pain of ten thousand pounds, or otherwise to enter his person in prison.”

What times must these be, when such a worthy person had such an act made against him for no other reason but hearing *Presbyterian* Ministers.

Mr. Wood
died.

Some time in the month of *March* died that learned and singularly pious Mr. *James Wood* (see page 96.) late Principal of the college of *St. Andrews*. *Sharp* thought proper to visit him once or twice upon his death-bed, and then industriously spread a report, that Mr. *Wood*, being within the views of eternity, expressed himself

himself concerning Church-government as a matter of *indifferency*, and that he was as much for *Episcopacy* as *Presbytery*. Mr. *Wood*, coming to the knowledge of these reports, thought himself bound in conscience, to leave a publick testimony behind him, against this false and malicious slander. This testimony was dated the 2d of *March* 1664 at seven in the evening, in which he declared, that “ he looked upon *Presbyterian*-government as the ordinance of God, appointed by Jesus Christ, for governing and ordering his visible Church, that he never had the least change of thought about the necessity of it, nor of the necessity of the use of it, and he declared before God and the world, that he still so accounted of it. — and that, if he was to live, he would account it his glory to seal this word of his testimony with his blood, and of this his declaration he took God, angels and men for his witnesses.” This he subscribed in presence of Mr. *William Tullidaff* Minister of *Dumbog*, Mr. *John Carstairs* his brother in law, and Mr. *John Pitcairn* the writer.

His dying testimony.

When this testimony was published, Archbishop *Sharp* was so nettled, that he ordered Mr. *Carstairs*, Mr. *Tullidaff* and the notar to be summoned before the *High Commission*, alledging, nay and publickly reporting, that the notar had told to himself, that, when Mr. *Wood* was exceeding weak, Mr. *Carstairs* had imposed upon him, and got him to subscribe that paper, he had formed for him.

Sharp's calumnies.

But when Mr. *Tullidaff* and the notar came before the Commissioners, they both declared, that Mr. *Wood* dictated the above testimony, of which I have given an extract, word for word, and that the notar wrote it at his desire, and attested it, as was his office to do. And thus the *Primate*, once more, got the lie to his face. So that after these two had continued, for some time, in prison, the Bishop was forced to dismiss them, without any further punishment, having shewn his malice, and having been proved a spreader of *lying* calumnies, upon those more righteous than himself.

Discovered.

Mr. *Carstairs*, for some reasons, thought proper to abscond, and did not appear; only, that his conduct

Mr. Carstairs's conduct.

1664. might not be constructed as the effect of disloyalty, he wrote a letter to the Chancellor, in which he excused his not appearing before the *Commission*, and declared, that none perswaded Mr. *Wood* to emit his testimony, that it was his own motion, that he dictated every word of it, and that, more than once in conversation, he declared his sentiments as to *Presbyterian-government*, more fully than in the testimony itself; so that upon the whole, Mr. *Wood* was vindicated from the false aspersions of the *Primate*.

Proceed-
ings of the
High
Commis-
sion.

According to his Majesty's Commission, the famous HIGH COMMISSION Court should have assembled on the first *Wednesday* of *March*: but it does not appear, that they sat down before the 15th of *April*, and then they entered upon business. It is but a few instances of the iniquitous proceedings of this dismal Court, that can be given, but these following are sufficient to shew their unprecedented cruelty and injustice.

Among the first things they did, they ordered Mr. *Wood*'s testimony to be burnt, and some Ministers accessory thereunto to be put in prison, and the *west country* recusants, viz. those Gentlemen, who refused to give full conformity to the *then* Church-government, to be fined in the fourth part of their yearly income. But it is proper to give the reader some particular instances of the hardships several endured.

Hardships
of Aiken-
head.

Mr. *James Hamilton* of *Aikenhead* near *Glasgow* was summoned before them, though no other crime could be laid to his charge, but his not hearing Mr. *David Hay* Curate in *Cathcart*. This Mr. *Hay* was most rigorous in exacting his stipend, particularly upon *Aikenhead*'s tenants, which occasioned a squabble between *Hay* and some of them. Mr. *Blair* the *Presbyterian* Minister of the place protected *Hay* from the people, and got him, in a solemn manner, to promise not to delate any of them. But *Hay*, contrary to his promise, went to *Glasgow*, and delated them to the Bishop, who immediately ordered Sir *James Turner*, with a party of soldiers, to go and apprehend some of the country people.

Aikenhead

Aikenhead being informed of this, and of the Curate's cruelty and prevarication, would never afterwards own him as a Minister, especially as he was never called to that congregation.

When this Gentleman was brought before the *Commission*, he was fined in a fourth part of his yearly rent, and when he afterwards was before them and gave them an account of his rent, he frankly owned, that he neither did, nor would hear *that* incumbent, and gave the Court such a distinct account of *Hay's* conduct, that the Archbishop of *Glasgow* promised he should be removed : But the *Commission* urging this Gentleman to engage to submit to, and hear his successor ; he told them, he thought it soon enough to engage, when he had heard him, and knew who he was, and peremptorily refused all such previous contracts ; whereupon he was fined in another fourth part of his yearly rent, and remitted to the Archbishop of *Glasgow*, to give him satisfaction as to his loyal and peaceable behaviour.

But the Bishop, it seems, not being satisfied, he was again brought before this Court, and was charged with keeping up the session book of *Cathcart* and the utensils of the Church from the Curate, and with refusing to assist the Minister in session when called, and for suffering some of his family to absent from the Church. As to the first part of his accusation, he offered to declare his innocence upon oath. But when the Earl of *Rothes* required him to testify his loyalty, by taking the *Oath* appointed by law : Upon his refusing the *supremacy* in the oath, and to become surety for all his tenants, that they should attend the ordinances and live regularly, the Court fined him in the sum of three hundred pounds sterling, and ordered him to prison till he paid it, and then to transport himself to the town of *Inverness*, being about 150 miles from his own house, and to remain there under confinement during pleasure, which was about a year and a half. He paid the half of his fine, and his estate was sequestrated for the rest, and in three weeks presented himself to the Magistrates of *Inverness*, where he continued till his confinement was taken off. He was not long at home till he was confined to his

1664. own house and a mile round it for six months: and before that time was elapsed, he was one day carried in prisoner to the Tolbooth of *Edinburgh*, without any reason assigned, or accusation given, and remained there nineteen weeks, when by the payment of eighty guineas, he at last got out.

Mr. Porterfield's case. Another instance of the wicked severity of this Court appears in the case of Mr. *John Porterfield* Laird of *Douchall* in the shire of *Renfrew*. The reason why this Gentleman was brought before the *Commission*, was his not hearing the Curate of the parish of *Kilmacomb*, where his house and estate lay: He told the Court, that he *could* not hear the Curate, because he had abused him, with groundless, base and injurious reproaches. The Court looking upon this as a sufficient defence, admitted him to bring in evidences: But the very first witness attesting all, nay, more than what had been alledged, the Court immediately interrupted the examination, and required *Porterfield* to take the *Oath of Allegiance*, which he refusing to do, without his giving his sense upon the clause of the *Supremacy*, they immediately proceeded to sentence, and fined him in the sum of 500*l.* sterling, ordered his estate to be sequestrated till payment should be made, and confined him to the town of *Elgin* in the shire of *Murray*, where he continued about four years. Reflections upon this are needless; for here the reader cannot but see the height of injustice, because the examination of witnesses was interrupted, a fine was imposed for *mere nonconformity*, and a person banished for nothing, but because his conscience was not so wide as that of his judges.

Mr. Smith's case. But their proceedings against the Reverend Mr. *Alexander Smith* Minister at *Cowend*, must not be omitted. His great crime was preaching privately in his own house, or, in the stile of that time, for keeping of *Conventicles*. When this worthy person was before them, his examination was in a very odd manner interrupted; for in answering several questions proposed to him by Archbishop *Sharp*, he did not give him his titles, but called him only *Sir*, and not *my Lord*. The Earl of *Roths* asked him, if he knew to whom he was speaking?


Mr.

Mr. *Smith* replied, yes, my Lord, I do, I speak to Mr. *James Sharp*, once a fellow Minister with myself. This was reckoned an *high crime*, and, without any further enquiry into the affair of Conventicles, Mr. *Smith* was immediately ordered to be laid in irons, and cast into that nasty place commonly called *the thieves hole*, where he had, for his company, a poor furious distracted man. And, to use the words of the author of the memoirs of the church of *Scotland*, “here the godly Minister lay some days, in danger of being destroyed by the poor demented wretch, who, every moment, threatned to kill him. But God, who stopped the mouths of *Daniel’s* lions, restrain’d him so as he hurt him not.” He continued, for some time, in that dismal place, until the kindness and respect of the people of *Edinburgh* made the *Bishops* ashamed of this unaccountable step. He was therefore removed to another room in the prison, where, thro’ cold and other hardships, he fell sick and was in danger of his life; yet such was their cruelty, that he could not get a few days liberty from prison. p. 157.

The author of the memoirs says, that these merciful Judges hearing, that by the grate of the thieves hole, which look’d to the street, he was relieved and comforted by the charity and compassion of many good people in the city, many were threatned for relieving him, and at length he was carried to a place called the *iron house*, in the same prison where none could come near him. Ibid.

After some time, by another sentence he was banished to one of the Isles of *Shetland*, where he continued many years in a wretched starving condition; for this was the coldest and wildest of all the *Scots* islands, and, as the author just now mentioned adds, here, his only relief as to this world, was the society of other blessed sufferers, who were banished thither for the same good cause.

The treatment of some of the parishioners of *Ancrum* *Cafe* of is not to be omitted. When their excellent Minister *some at* Mr. *Livingstone* was taken from them, one Mr. *James Scot*, who was under the sentence of excommunication, was presented to that charge. On the day fix’d for his settlement, *Ancrum*

1664.  settlement, several people meet together to oppose it, and particularly a country woman, desiring to speak with him, in order to dissuade him from intruding himself upon a reclaiming people, pull'd him by the cloak, entreating him to hear her a little, whereupon he turned and beat her with his staff. This provoked two or three boys to throw a few stones, which neither touch'd him nor any of his company. This was presently look'd upon as a treasonable tumult, and therefore the Sheriff and country Magistrates, in these bounds, fin'd and imprisoned some of these people, which, one would think, might atone for a crime of this nature.

But the *High Commission*, not thinking that sufficient, ordered those criminals to be brought before them. Accordingly the four boys and this woman, with two brothers of hers of the name of *Turnbul*, were brought prisoners to *Edinburgh*. The four boys confess'd that, upon *Scot's* beating the woman, they had thrown each his stone. The Commissioner told them, that hanging was too good for them. However, the sentence of this merciful court was, that they should be scourged thro' the city of *Edinburgh*, burnt in the face with a hot iron, and then sold as slaves to *Barbadoes*. The boys endured their punishment like men and christians, to the admiration of multitudes. The two brothers were banished to *Virginia*, and the woman was ordered to be whip'd thro' the town of *Jedburgh*. *Burnet* Bishop of *Glasgow*, when applied to, that she might be spared, lest she should be with child, mildly answered, that he would make them *claw the itch out of her shoulders*.

Other proceedings. Several *Presbyterian* Ministers were before them, of whom very imperfect accounts can be given. Mr. *George Hamilton*, afterwards Minister at *Edinburgh*, and some other Ministers of *Fife*, were summoned and discharged from administering the Lord's Supper, for the Bishops were galled at the vast numbers that came to partake of that ordinance.

Sir William Cunningham. When Sir *William Cunningham* of *Cunningham-head* was before them, when they sat at *Glasgow*, he was obliged to produce his Chaplain Mr. *John Hattridge*, who, beginning to say, "My Lords, I hope none of you will
" take

“ take it ill, that I declare before you some things, that
 “ are pressures to my conscience.” At this *Sharp* interrupted him, saying, *What have we to do, Sir, with the pressures of your conscience? go to the door presently.* And as he was removing, he called to him, without ever consulting the Court, *Sir, you are discharged to preach without a licence from the Archbishop of Glasgow; and so he was no more called.*

At one of their meetings at *Edinburgh*, they fined one *Mr. Walter Pringle* of *Greenknows* in some hundred pounds sterling, for no other reason, but because he would not take the *oath of allegiance* without an explication.

I shall conclude this account with the case of *Mr. Black*, *Mr.* mentioned by the author of the memoirs. This gentleman was charged by the Commission with having been at a private meeting for prayer; whether any Minister was with them or not, was not alledged, neither had they any thing else to accuse him of, nor could they prove his being at that meeting, only they would have him confess, which he declined. Then they required he would declare, upon oath, who was at the said meeting. But because he said this was against his conscience, and that he would not be an accuser of *innocent men*, he was sentenced to be scourged thro’ the town, which he very patiently submitted to and chearfully suffered.

From these few instances of the proceedings of this tyrannical Inquisition Court, the reader may form a judgment of their cruelty; and of the sad state of the kingdom under the power of such oppressors. ’Tis no wonder tho’ the records of their proceedings are not to be found in the Council Register, for a long time. The Council ordained letters of horning for the payment of all fines imposed or to be imposed by this judicature. And about the end of this year, *Sharp* got the powers of the high Commission Court, termed likewise *the Commission for church or ecclesiastical affairs*, enlarged, by which they had authority to banish, stigmatize, and inflict all kinds of punishment, except death; but it is plain, they took upon them all these powers, before they received them.

1664. It is now time to give some account of the more remarkable things that occurred during these proceedings of the high *Commission*.

An act against charity to suffering Ministers. On the 29th of *April*, the Council published an act forbidding to give charity, or make of any contributions in favour of suffering Ministers and others, who, they pretended, were disaffected to the Government; so that now the poor sufferers were, not only, discharged to meet together, and pray to God in the time of their distress, but all subjects were expressly forbid to relieve them in their extremities. My author has inserted this act from the register in his history, to which I must refer the reader.

Proclamation against Buchanan's de jure, &c. On the same day this act was pass'd, the Earl of *Argyle* and the Archbishop of *Glasgow* were added to the Council, and took the oaths and their places at that board; and a proclamation was published against that known and celebrated treatise of the great ornament of *Scotland*, Mr. GEORGE BUCHANAN *de jure regni apud Scotos*, ordering all persons to deliver what copies they had in their custody, of the translation of that treatise, to the clerk of the Council, under the penalty of being prosecuted as seditious persons. But whether it had not been more proper, to have ordered an answer to be made to the solid arguments in that dialogue, against tyranny and arbitrary government, must be referred to the reader.

The Chancellor's death. p. 208. On the 30th of *May*, the Earl of *Glencairn*, the Lord high Chancellor of *Scotland*, departed this life. At his death his Lordship earnestly desired to be attended by *Presbyterian* Ministers, but especially by Mr. *Douglass*, who was then in *Fife*. And before Mr. *Ker* could be fetch'd from *Haddingtoun*, he was speechless. Several other of the Noblemen and Gentlemen, however hard they were upon *Presbyterian* Ministers in their life, wanted their assistance when they came to die, which made the Duke of *York* once say, that *he believed all Scotsmen, be what they would in their life, were all Presbyterians at their death*. Upon this *Sharp*, as Bishop *Burnet* informs us, fearing lest the Earl of *Twedale* should be advanced to that high post, wrote to *Sheldon* Archbishop of *Canterbury*, signifying that upon the disposal



of the seals the very being of the *Church* did so absolutely depend, that he begged he would press the King that he [*Sharp*] might be called up, before that post should be disposed of. The King bid *Sheldon* assure him, he should take a special care of that matter, but that there was no occasion for his coming up. However, *Sharp* ventured to go up, and was coldly received. The King asked him if he had not received the Archbishop of *Canterbury*'s letter. *Sharp* said he had, but he would choose rather to venture on his Majesty's displeasure, than to see the CHURCH ruin'd—and that so much depended upon the good choice of a Chancellor, that he could not answer it to God and the Church, if he did not bestir himself in that matter. He knew many thought of himself for that post; but he was so far from that thought, that if his Majesty had any such intention, he would rather choose to be sent to a plantation. He desired he might be a churchman in heart, *but not in habit*, that should be raised to that trust. These, says *Burnet*, were his very words, as the King reported them. However, he went from the King to *Sheldon*, and press'd him to move the King for himself. *Sheldon* did so, but his Majesty suspecting *Sharp* to have set him on, asked him if that was not the case, and when *Sheldon* owned it, the King told him what *Sharp* had said to himself. However, *Sheldon* prayed the King, that whatever he thought of *the man*, he would consider the *Archbishop* and the CHURCH, which the King assured him he would do. *Sheldon* told *Sharp*, that he saw the motion for himself did not take; so he must think of somewhat else. *Sharp* then proposed that the seals might be put into the hands of the Earl of *Rothes*, till his Majesty should pitch upon a proper person, which was readily complied with. However, my author tells us that the great seal was on the 1st of *August* put into the Archbishop's hands, till a Chancellor should be named, and, about the latter end of the year, *Rothes* was made keeper of the great seal. His Lordship was likewise Lord High Treasurer, General of the forces by sea and land, and extraordinary Lord of the session, Commander of his Majesty's life-guards, and principal Collector of the fines. The Archbishop

1664. of *Glasgow* was made an extraordinary Lord of session. But as these things don't so immediately concern this history, I shall pass them over; for notwithstanding the alteration of hands, there was little or no change of measures.

Argyle's head taken down. On the 8th of *June* the head of the noble Marquis of *Argyle* was taken down from the *Tolbooth* early in the morning and conveyed to his body, and his son continued in favour till his appearance for the *Protestant* religion at the Duke of *York's* parliament.

Parish of Dreg-horn. On the 23d of *June*, the Council sent a party of soldiers, to force the parish of *Dregborn* to submit to the episcopal Minister, who had been thrust in upon them, with power to oblige every one to pay twenty pence, for every time he should be absent from the Church. But whether this method of *dragooning* people to Church, which was never known in *Scotland*, before *Sharp* and the *Prelates* introduced it, be agreeable to the spirit of christianity, let the reader judge.

Masters Crook-shank and Bruce. The same day, the Council ordered Mr. *John Crookshank* and Mr. *Michael Bruce*, whom they called *pretended Ministers*, to be summoned at the Cross of *Edinburgh* and the Pier of *Leith*, to appear before them on the 27th of *July* next, with power to the Officers of the army to apprehend them. These worthy Ministers were come from *Ireland*, and all their crime was for preaching the Gospel. This is the first time the Council use the phrase *pretended Ministers*. It does not appear that either of them answered the summons, or were apprehended. We shall afterwards hear more of them both.

Mr. Guthrie ejected. On the 24th of *July*, that useful, faithful and zealous servant of Christ, Mr. *William Guthrie*, Minister at *Finwick* was ejected. He wrote that excellent little treatise, commonly known by the name of the *trial of a saving interest in Christ*. This worthy person, by the interest of several noblemen, had been, for some time, overlooked, notwithstanding his plainness and faithfulness, in bearing testimony for Christ at that time. See p. 83.

Ministers attacked. But when *Burnet* was made Archbishop of *Glasgow*, Mr. *Guthrie* and the few remaining Ministers about him were attacked; as Mr. *Livingstone* at *Biggar*, Mr. *McKail*

at

at *Bothwel*, Mr. *Gabriel Maxwell* at *Dundonald*, Mr. *Gabriel Cunningham* at *Dunlop*, Mr. *Andrew Hutchefon*, and Mr. *William Castlelaw*, Ministers at *Stewarton*. 1664.

No intercession could prevail with the Bishop of *Glasgow*, to spare Mr. *Guthrie*. The Earl of *Glencairn*, in particular, is said to have spoke to the Bishop in his behalf; but received a short answer, which made his Lordship say, *we have set up these men, and they will trample upon us*. Mr. *Guthrie*, perceiving that he must part with his beloved people, appointed *Wednesday* the 20th of *July*, to be observed by him and them as a day of solemn fasting and prayer. He preach'd from *Hos. xiii. 9*. O *Israel thou hast destroyed thy self*; from which he faithfully laid before them their sins, and the sins of the land; and indeed the place was a *Bockim*. The Lord's day following, being the day fix'd for his ejection, he intimated that sermon would begin that morning betwixt four and five, and then he preach'd twice to them from the close of his last text, *in me is thy help*, and dismiss'd the people before nine. The reader may easily conjecture, what a sorrowful parting this was. But tho' they would have been ready to sacrifice their *all* for his sake, he would not permit them to use the least violence.

The Archbishop of *Glasgow*, after dealing with several of his Curates, to intimate his sentence against Mr. *Guthrie*, at last prevailed upon, as is supposed, the Curate of *Calder*, by the promise of five pounds sterling, to perform this service. Accordingly, on the day appointed, he came with a party of twelve soldiers to *Finwick Church*, and, by Commission from the Archbishop, discharged Mr. *Guthrie* to preach any more there, declared the Church vacant, and suspended him from the exercise of his Ministry. The holy good man behaved, on this occasion, like himself, treated the soldiers at the Manse with the utmost civility: But when the Curate went to the Church to intimate the Bishop's sentence from the pulpit, none came to hear him but the party he brought with him. A few children who created him some uneasiness, were driven out by the soldiers.

It was reported, that Mr. *Guthrie*, at parting, told the Curate, he foresaw some evident mark of the Lord's

1664. displeasure against him, and exhorted him to prepare for some sudden stroke; but be that as it will, this Curate never preached, after he left *Finwick*; for in a few days he died, in great torment, of an *iliack passion*, or of a violent and dangerous kind of cholick, and his wife and children all died in about a year after, and none belonging to him were left. Thus by the malice of the *Prelates*, this bright and shining light of the west of *Scotland* was extinguished, and this eminent Minister of Christ entered into his Master's joy on the 10th of *October* next year.

P. Wal-
ker,
p. 173,
174.

This excellent person had been much afflicted with the gravel during his life, which obliged him, contrary to his inclination, to use some diversion. The last time he was with his cousin Mr. *James Guthrie*, (p. 104, &c.) he happened to be melancholy, which made Mr. *James* say, *A penny for your thought, Cousin*; Mr. *William* answered, *there is a poor man at the door, give him the penny*; which being done, he proceeded and said, "I'll tell you, cousin, what I am not only thinking upon, but am sure of it, if I be not under a delusion; and it is this, that the *malignants* will be your death, and this gravel will be mine; but ye will have the advantage of me, for ye will die honourably before many witnesses, with a rope about your neck, and I will die whining upon a pickle of straw, and I will endure more pain before I rise from your table, than all the pain you will have in your death." A certain Minister observed that this holy man died a sufferer, for he was deposed by the Bishop, but in hope, that one day, the Lord would deliver *Scotland* from her thralldom.

As a
gainst
Waris-
toun's
speech.

Such was the inveteracy of the Managers, that on the 9th of *August* the Council made an act against the selling or printing of Lord *Waristoun's* speech, which he delivered at his execution, tho' there was in it nothing either treasonable or seditious. Sir *Robert Murray* of *Cameron* was, by this act, empowered to examine all Booksellers and others, in order to find out how the said speech came to be printed, and to commit them to prison, as he should see cause; If any was prosecuted upon

upon this act is not known. But this is certain, the Bishops continued to persecute the Ministers.

1664.

Thus on the 10th of *October*, the Bishop of *Dunkeld* deposed Mr. *Andrew Donaldson*, Minister at *Dalgety*, to which he had been admitted in the year 1644. By the interest of *Charles*, Earl of *Dumfermling*, he was favoured beyond many of his brethren; but such a worthy and eminent person could not well escape the malice of the *Prelates* at this time. Accordingly when the Earl was called up to *London*, the Primate pushed the Bishop of *Dunkeld*, in whose Diocese *Dalgety* was, to deprive him. The Bishop therefore wrote to him to attend the Presbyteries under pain of suspension; which Mr. *Donaldson* did not regard, but continued at his work till the *diocesan* Meeting in *October*, when the Bishop deposed him, and gave him notice of it in a letter, which my author has inserted at large. But that they might play sure game, *Sharp* procured a party to be sent to eject him, who came to the Church on a Lord's day, when the people were assembled to hear him. But Mr. *Donaldson* got leave to preach that day, upon promising afterwards to withdraw, so that no disturbance ensued.

Mr. Do-
naldson
deposed.

But when the Earl of *Dumfermling* got notice of these proceedings, he got a warrant from the King, restoring Mr. *Donaldson* to *Dalgety* during his life, which his Lordship brought down and shewed to the *Primate*. The Archbishop knew well how to *dissemble*, and professed a great regard for the Earl, and said, the King must be obeyed; but craved, as a favour, that the Earl would do nothing for three weeks in it, till he considered how to provide for a young man that was just settled in the parish, which his Lordship yielded to. Mean while *Sharp*, by his interest at Court in the Earl's absence, procured a warrant under the King's hand, and got it down by express, before the three weeks were expired, discharging all ejected Ministers from returning to their charges; and thus the *Mitre* trick'd the *Coronet*, for tho' his Lordship was vexed, yet he was obliged to submit,

1664.

On the 3d of *November*, *William Dobbie* a weaver, who had been for some time under confinement, was set at liberty. And the same day the reverend *Mr. Thomas Wylie*, formerly mentioned (see page 147.) presented a petition to the Council, that they would be pleased, on account of the bad state of his health, to permit him to reside with his family in any place of *Lothian*, fifty miles from his former charge. With this the Council thought proper to comply, upon his giving a fresh bond for his peaceable behaviour.

Sir John
Nesbit ad-
vocate.

The same day *Sir John Nesbit's* patent to be King's Advocate was read and recorded in Council; the former Advocate, *Sir John Fletcher*, having been accused of bribery, partiality, and other pieces of mismanagement, and not being able to give in sufficient answers, was obliged to resign.

Proclama-
tion of
Council.

On the 17th of *November*, the Council issued a proclamation, ordering all Ministers, who had been ejected since 1661, to retire from *Edinburgh* within forty eight hours; and not to reside either there, or in any other place prohibited by act of Council 1663, without a proper license, under the penalty of being imprisoned, and otherwise punished as *sedition* persons. Such were the restraints now laid upon Ministers, that they were forbid to pray to God, or get relief from men, or to inspect the education of their children at schools, unless they would so far own the *Prelates*, as to get a warrant from them: *Papish* Priests and profess'd *Papists* were entirely at liberty, while some of the King's best subjects durst not reside in *Edinburgh*, or any royal Burgh, for no other crime, but because they adhered to their principles against *Prelacy*.

Great
harass'ts.

The people of the *presbyterian* persuasion were, every where, harass'd, and the methods mentioned in the last chapter were continued. Every day the soldiers grew more and more insolent at the Churches, where any old *presbyterian* Ministers ventured to continue. And thro' the west and south of *Scotland*, multitudes of families were dispersed, the soldiers acting much in the same manner there, as the *French* dragoons did some years after among the *Protestants* of that kingdom. *Sir James*

Turner

Turner acted a very severe part wherever he went, tho' I am not able to give particulars.

1664.

On the 18th of *December*, the Council made an act against Mr. *John Spreul*, late town Clerk of *Glasgow*, for refusing to take the oath of *allegiance* and *supremacy*, ordering him to oblige himself, under the pain of *death*, to depart out of the kingdom by the first of *February* next, and not to return without licence.

Mr. Spreul.

The same day the Council granted a licence to the Reverend Mr. *Alexander Moncrief* (p. 108.) to come to *Edinburgh*, and to continue there till the 24th instant about his necessary affairs; for such were the times, that let a Minister's affairs be ever so urgent, he durst not go to any royal Burgh without licence.

Mr. Moncrief.

After this good man had suffered much from one of the heritors of his parish, as is related in *the fulfilling of the scriptures*, tho' his name be not mentioned, and had been discharged from his parish, &c. people began to resort to him, and hear him preach in his own family; wherefore he was obliged to remove from his house, and required to live 20 miles from his charge, and 7 or 8 miles from a Bishop's seat, or royal Burgh; and after that, was constrain'd to return to a remote place in the *Highlands*, where he was in a surprising manner supported, and singularly useful in the conversion of many.

p. 182, 183. fol. edit.

At length he came with his family to *Edinburgh*, where he preach'd for several years in private. After he was intercommuned in the year 1675, his house and many other places about the city were search'd for him, but he was wonderfully kept out of their hands. He was much solicited, when in these hazardous circumstances, to leave the kingdom, and had an ample call to *Londonderry* in *Ireland*; but he always declined to leave his native country, and, in his pleasant way, used to say, that *he would suffer where he had sinned, and essay to keep possession of his master's house, till he should come again*. He left many seals of his ministry, being a most faithful and laborious Minister. He was mighty in prayer, and had many remarkable returns. He lived till harvest 1688, and so he may be said to have kept possession of his Master's house till he came back.

The

1665. The year 1665, does not afford so many instances of cruelty as the former years. The Earl of *Rothes*, who was loaded with places of trust and power, and was the chief manager in *Scotland*, under the direction of *Lauderdale*, was scarcely ever so severe, as when in the *high Commission Court*, where he did not act like himself.

The Dutch war. The first general calamity, that befel the nation this year, was the war with the *Dutch*, which the King entered into in the winter. It does not lie so immediately before me to speak of the rise of this war. It is by this time pretty well known that his Majesty was much under the influence of *LEWIS XIV.* the young King of *France*, and that it was in concert with him that this war was undertaken. The declaration was dated the 22d of *February*, but was not published till the 2d of *March*; and on the 3d of *May* a proclamation was issued, appointing the 7th day of *June* to be observed as a publick fast, which was complied with by all the *presbyterian* Ministers, who as yet kept their Churches, but particularly Mr. *James Fergusson*, Minister at *Kilwinning*, when intimating this fast to his people, gave a particular account of the crying sins of the day, as the causes of the threatened judgments, which he reduced to this one general, the contempt of the Gospel, which was discovered by the rough handling of the messengers of Christ, the laying many Congregations desolate, contempt of the sabbath and ordinances, and all kinds of profaneness.

The Plague. Much about the same time, the *pestilence* broke out in *England*, which encreased in the City and Suburbs of *London*, till eight or ten thousand died in a week. It was observed, in several papers written at this time, that the appearance of a globe of fire was seen above that part of the city, where the SOLEMN LEAGUE and COVENANT was burnt. But whether that be true or not, it is certain the plague broke out there, and very few were left alive in that street, where that open affront had been put upon the OATH of GOD.

It may, perhaps, be thought trifling to observe, with my author, that several remarkable signs did precede and accompany the *pestilence*, such as the appearance of

a large comet in the end of the last year, and of another in the month of *March* this year, together with such a violent frost and snow, that there was no plowing from *December* till the middle of *March*. How far these things were the prognosticks of severe judgments, I shall leave to the reader's own determination.

The raging of the *pestilence* in *England*, the *Dutch* *Seven years* war, and some other occurrences, a little abated the fury *abated*. of the Managers in *Scotland*, so that some small favours were granted to *presbyterian* Ministers and Gentlemen, and the *Prelates* began to be jealous of some of the Noblemen, as not hearty enough in the interests of the *Church*. Thus on the 3d of *May*, *Walter Pringle* of *Greenknows*, who had been confined in the jail of *Elgin*, had his confinement enlarged, by obtaining the liberty of the whole town, and a mile round it, during the Councils pleasure. Mr. *John Smith* Minister, perhaps of *Edinburgh*, was permitted to come thither for the advice of physicians.

But there happening a little disturbance in the *West-* *Disturbance* *kirk* of *Edinburgh*, between the Parishioners and Mr. *William Gordon* the episcopal Minister, some of them were put in the *thieves hole*, and a man and a woman were scourged thro' the city; and about this time several in *Dumfries* were imprison'd for not hearing the *Cit-rates* and submitting to *Prelacy*.

Nothing could alter the cruel disposition of the *Bishops*; *Country* and *Sharp*, pretending that the *Fanaticks*, a name of *disgrace* reproach now given to the *Presbyterians*, would rise and join the *Dutch* against the King, orders were given for disarming the west and south of *Scotland*. The violent seizure of their arms, which ensued, was a very great loss to the country. But all was very well, the *Prelates* thought themselves now secure, and at liberty to do what they pleased.

The Duke of *York* sailed with the *English* fleet in *May*, *Sea fight*, and, before the *Dutch* could be ready, alarmed the *Rapin*. coasts of *Holland*, and in the beginning of *June*, the two fleets engaged, and the *Dutch* were overthrown by the *English*. But the Duke of *York*, seeing it was in vain to continue his pursuit, returned to the coasts of

1665. *England*, and after he landed, repaired to *Whitehall*, to receive the acclamations of the court and city of *London*.

A thanksgiving. On the 20th of *June*, the Council at *Edinburgh* published the King's proclamation for a thanksgiving to be observed on the 13th of *July*, recommending it to the Bishops, to order the Ministers to read the same proclamation from their respective pulpits.

The same day Mr. *John Stirling*, late Minister, was permitted to come to *Edinburgh* about his necessary affairs, and afterwards allowed to continue there for his health till the 1st of *September*. And on the 6th of *July* Mr. *John Cameron*, who had been confined to *Lochabar*, since the year 1662 (p. 150, 151) had his confinement changed to the city of *Glasgow*, and two miles round.

About this time Mrs. *Trail*, wife of the Reverend Mr. *Robert Trail*, who had been formerly banished (p. 149.) and who was now in *Holland*, was imprisoned, for sending and receiving letters from her husband, tho' they contain'd nothing but what related to their family affairs.

Convention of Estates. On the 2d of *August*, a convention of estates met at *Edinburgh*, in order to raise money for his Majesty, to support him in his war against the *Dutch*. *Sharp* was chosen preses; for it seems this was for the honour of the CHURCH, that a *Bishop* should be at the head of the convention.

Academical degrees. One would think, that, by this time, *episcopacy* was established in *Scotland*; upon as sure foundations as human laws could go; but care must be taken to perpetuate this to futurity. Accordingly this summer an order was made, appointing that no *academical* degrees be conferred upon any, but those, who would take the *Oath of Allegiance* and *Supremacy*; so that a great many of the most deserving youths of the nation were excluded from their degrees, and the rising generation became gradually disposed to take any of the most dubious and self-contradictory oaths, that were imposed upon them.

It was a great eye-fore to the Bishops, that some of the *ejected* Ministers continued to preach openly, especially in the shire of *Galloway*, so that that country was grievously

grievously oppress'd by Sir *James Turner* and the soldiers under his command, at *their* instigation, and several in the parish of *Stewartoun* were persecuted for hearing a *presbyterian* Minister, some being fined, and others imprisoned. Bishop *Burnet* says, that the whole face of the Government look'd liker the proceedings of an *inquisition* than of legal courts, and yet *Sharp* was never satisfied, so Lord *Rothes* and *he* went up to court the first year of the *Dutch* war. When they waited first on the King, *Sharp* put him in mind of what he had said at his last parting, that, if matters went not well, none was to blame, but either *Lauderdale* or *Rothes*: And now he came to tell his Majesty, that matters were worse than ever; and he must do the Earl of *Rothes* the justice to say, that he had done his part. This exasperated *Lauderdale*, who, when *Rothes* and *Sharp* withdrew, told the King, he was now accused to his face, but he would quickly let him see, what a man *Sharp* was. Accordingly he followed the Archbishop home, and told him it was the King's pleasure, that he should put the accusation, with which he had charged him, in writing, and that he must either go through with it, else he would charge him with *leasing making*: all this *Lauderdale* delivered in such a tone, that the upright Prelate fell a trembling and weeping. He protested, he meant *no harm to him*; only was sorry that his friends, upon all occasions, were pleading for favour to the *Fanatics*. *Lauderdale* told him, that would not do; he was not answerable for his friends, except when they acted by directions from him. In short, *Lauderdale* carried *Sharp* to the King, when he retracted every thing he had said in so gross a manner, that the King said afterwards, Lord *Lauderdale* was ill-natured to press it so heavily, and force *Sharp* to give himself the lie in such coarse terms. I shall leave the reader to make his own reflections here.

1665.

p. 212.

The High Commission Court was now upon the decline; and tho' many were summoned before them, yet few obeyed the summons. However, some were obliged to appear, particularly Mr. *Hugh Peebles*, Minister at *Lockwinnoch*, in the shire of *Renfrew*, for the great

Mr. Peebles's before the commission.

1665. crime of preaching one sabbath night in his own house, to some people who came to hear him. When this worthy person came before them, he used as much freedom, as might have provoked them to banish him, had not this *inquisition*-court been on the decline. He told them, he did not know what to make of their Court, he could reckon it scarce either civil or ecclesiastic ; yet, since his Majesty's Commissioner had commanded him, and self-defence was *juris naturalis*, he had appeared innocently to defend himself, and to give accounts of plain matter of fact. He told them, that ever since he was a Minister, he had *exercised* in his family on sabbath evenings ; and the people, who lived near him, generally came to hear him. He alledged that the law did not militate at all against this, if the reason of the law be considered. The reason of their law, behoved to be either to prevent people's leaving the publick worship, which could have no place in this case ; or to prevent people's being alienated from the Minister of the Congregation, which could have no room either, since there was no Minister settled where he lived : And since his preaching to his neighbours, whom he could not exclude from his house, did not thwart with the *ratio legis*, the reason of the law ; it could not be said to thwart with the *law itself*. But all he could say had no effect, the Archbishop of *Glasgow* was resolved to be rid of him ; and accordingly he was ordered to leave the west country, and confine himself to the town of *Forfar*, near a hundred miles, from where he then lived and had his estate.

West country
Gentlemen
imprisoned.

When the *High Commission* did not answer the persecuting designs of the *Prelates*, other measures were fallen upon. Accordingly, the *Prelates* gave in groundless suggestions and innuendo's against many excellent Gentlemen, especially in the west, to such who found means to procure an order from the King to imprison them.

p. 211.

Bishop *Burnet* says, " that his own namesake, the Archbishop of *Glasgow*, was sent up, to possess the King with the apprehensions of a *rebellion*, in the beginning of the *Dutch* war. He proposed, that about twenty of the chief Gentlemen of those countries might be secured, and undertook for the peace of the country,

if

if they were clapp'd up. The Earls of *Argyle*, *Tweedale* and *Kincardin* were cold in all these things." However, about the beginning of *September*, the following Gentlemen, without the least previous notice, were apprehended by a written order from the Commissioner, viz. Major-General *Robert Montgomerie*, Brother to the Earl of *Eglintoun*, Sir *William Cuningham* of *Cuninghamhead*; Sir *George Maxwell* of *Nether-pollock*; Sir *Hugh Campbell* of *Cesnock*; Sir *William Muir* of *Rowallan*; Major-General *Holburn* of *Menstrie*; Sir *George Munro*; Colonel *Robert Halket*, Brother to Sir *James Halket* of *Pitcairn*; Sir *James Stuart*, late Provost of *Edinburgh*; Sir *John Chiesly* of *Carswell*; *James Dunlop* of that ilk; *William Ralstoun* of that ilk.

Sir *Patrick Hume* of *Polwart*, and others, were imprisoned about this time. These excellent persons, when brought to *Edinburgh*, were, without any accusation or cause given, in a most arbitrary manner, imprisoned in the castles of *Edinburgh*, *Stirling*, *Dumbarton*, and other places, where several of them lay for many years. This could not but encrease the people's hatred to the *Prelates*.

On the 3d of *October*, the Council appointed the Marquis of *Huntley* to be educated in the family of Archbishop *Sharp*. We shall afterwards find, that this Nobleman was created Duke of *Gordon*, and lived in the profession of *Poper*y; so that it would seem the *Primate* took but little care of his education; he had something else to mind than such a trifle as this.

On the same day, the Council issued a Proclamation, ordering all persons, who had not paid their fines according to act of Parliament, to pay them in the manner following, viz. They that live in the south of the water of *Es*k, to pay their first moiety by the first of *December*, and those on the north side by the first of *February*, under the penalties mentioned in the act. It was also published, that all who would take the *Oath of Allegiance*, and subscribe the declaration, should be remitted the second moiety. There were some other regulations made on the 23d of *November*, but none were to have any part of their fines remitted, unless they complied

Proclamation concerning the fines.

1665. plied with the terms just now mentioned ; and whether any *Presbyterians* could make this compliance must be referr'd to the reader. And as there were but few that paid the first moiety, Sir *James Turner* was sent with the army to levy them by military force, which produced dismal effects, as we shall hear.

*Mr. Maxwell depos-
ed.* On the 11th of *October* Archbishop *Burnet*, at the *diocesan* meeting at *Glasgow*, got a sentence of deposition pass'd against the Reverend *Mr. Robert Maxwell*, Minister at *Munkton* in the presbytery of *Air*, because he refused to submit to the Bishop, and had baptized and married several, who could not, in conscience, favour the *Curates*. He was one of the *old* Ministers, who had been settled before 1649 ; and having been a grave, pious and useful preacher in that place, for almost 25 years, had justly acquired the hearty affections of his people. But there was no continuing among them, when the sentences of this period were executed by an armed force. His sentence was intimated to him on *Saturday* 18th of *February*, and next day he preach'd his farewell sermon from *Eccles. v. 4.* and had a very moving discourse, at his sorrowful parting with his beloved people.

*Ministers,
&c. in
trouble.* By this time many of the old Ministers, who had seen the Church of *Scotland* in her Glory, were got to their rest, several of whom died in peace and in the solid hopes of a glorious deliverance to this church. Others of them were harra's'd by the *Prelates* ; for in *October*, *Mr. Matthew Ramsay*, Minister at *Kilpatrick-west*, in the Presbytery of *Dumbarton*, a person of a most amiable character, was deposed by the Bishop in the Synod of *Glasgow*, merely for not attending on the *diocesan* Synods and Presbyteries . and for the same cause *Mr. Robert Mitchel*, Minister at *Luss*, was suspended, in order to be deposed next year. And on the 14th of this month of *October*, *George Porterfield* and *John Graham*, late Provosts of *Glasgow*, who had retired to *Holland*, were summoned to appear before the Council, and, upon their not appearing, were declared rebels and fugitives.

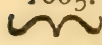
In the beginning of *November*, the Commissioner *Rethes* made a tour, with a splendid retinue, to the west,
and

and returned to *Edinburgh* about the end of the month, when some more severe acts were made against *Presbyterian* Ministers, as had been the consequence of *Mid-dletoun's* circuit, some years before. 1665.

Accordingly, on the 7th of *December*, they made an act against all the *Presbyterian* Ministers, extending even to those who had been settled before the year 1649, who had relinquished their ministry, or been deposed by their ordinary, and all such as should hereafter relinquish their ministry, or be deposed by their ordinary, commanding them to remove with their families, twenty miles from their respective parishes, six miles from *Edinburgh* or any cathedral Church, and three miles from any royal Burgh, and not two of them to reside together in any one parish; and all Heritors and others, were forbid to give them any countenance in their preaching, or in any part of their ministerial office. *Act against Ministers.*

The same day a proclamation was ordered to be published and printed against Conventicles, forbidding all meetings for worship, except those authorised by law, and declaring, that all, found at such meetings should be looked upon as seditious persons, and be punished by fining, confining, and other corporal punishments, as the Council, or any having his Majesty's Commission, should think fit; and further declaring, that all Ministers that shall perform any part of the ministerial office at such meetings, and all who shall encourage them, shall be liable to the highest pains to be inflicted on seditious persons. And ordering all Sheriffs, Stewards, Magistrates, and other officers, to search for such meetings, and apprehend every person who shall be found at them. *Proclamation against Conventicles.*

In the preamble to this proclamation, these Conventicles are said to be the ordinary seminaries of separation and rebellion, and, in themselves, reproachful to the King's government ecclesiastical and civil. That they were a *separation* from the *Prelates* and their *Curates* is certain; but the reader is to judge whether *these* had not separated from the reformation of the Church of *Scotland*, and given just ground to Ministers and people to *withdraw from* them; and whether it was not the greatest *Remarks.*

1665.  greatest reproach to the King's government, to overturn that very reformation, which his Majesty and the most of the Managers, the *Primate* himself not excepted, had so solemnly sworn to maintain.

Meetings
for exer-
cise.

† meet.

The same day an act passed in favour of the *Curates*, wherein it was declared, “ that his Majesty, with advice of his Council, by virtue of his *Supremacy*, allows the Bishops to depute such of their *Curates*, as they judge qualified, to † *conveen for exercise*, and to assist in discipline, as the Bishops shall direct them. But the whole power of ecclesiastical censure is reserved to the *Bishop*, except the parochial rebukes, and he only must suspend, deprive or excommunicate.” This was the form of the *prelatical Presbyteries*, all flowing from the *Supremacy*. They would not call it by the name of a *Presbytery*, and in so far they were right; for the members of it were the creatures and tools of the *Bishops*, as *these* were of the King. How unlike were these to the regular *Presbyteries*, that were formerly in this Church! Might it not now be said, *How is the gold become dim, and the most fine gold changed!*

The same day, the Council granted a Commission for discipline, and authorized Ministers in each congregation, to choose proper persons for this end; of which more in the next chapter.

At the same federunt, taking into consideration, that there were several prisoners in the Tolbooth of *Edinburgh*, who were willing to be transported to *Barbadoes*, they ordered the Magistrates to deliver them up to *George Hutchison* Merchant for transportation. These were the remains, of those, who had been imprisoned by the High Commission Court. And considering the hardships they underwent, it was no wonder, though they preferred transportation to such a confinement. The next chapter will open a more melancholy scene than any that has yet appeared.

CHAP. VII.

Of the occurrences preceeding the rising at Pentland, of the Rising itself, the Executions and other consequences of it, together with several other transactions during the year 1666.

WE have seen, what cruel and unjust oppressions the *Presbyterians* indured during the course of the preceeding five years, how their liberties, both religious and civil, were taken away, their Ministers scattered, banished and imprisoned, and the people exposed to the merciless ravages of the army, and all this, for no other cause, but maintaining their religious principles; and yet they bore all with a surprising degree of patience, hoping that, some time or another, Providence would interpose for their relief; and therefore, as one justly observes, if the poor people, by those insupportable violences, were made desperate, who can justly reflect upon them, when *oppression makes a wise man mad*? But the measures pursued this year were such, as if there had been a formed design, to force the people into violent measures.

1666.

Memoirs of the Ch. of Scotland, p. 159.

We have heard, how the Council granted a Commission for discipline, in which the established Ministers were to make choice of proper persons, to assist them in the exercise of discipline, and, in case of refusal or delay, to acquaint the Bishop, and, upon his order, to summon them before the *brethren of the exercise*, and, upon their not appearing, or persisting in their refusal, to transmit their names to the Council, in order to their being prosecuted according to their demerit, and as the case required. They well knew, that no real *Presbyterians* would, so far, abandon their principles, as to incorporate themselves with the *Prelates*; because that would have been a formal acknowledgement of the *Hierarchy*, which they justly look'd upon, as contrary to the Word of God. And so this was another occasion of

Commission for discipline.

1666. suffering, to many who chose to suffer rather than sin.

*Sufferings
on this
account.*

It was common in this period, first to punish for what they reckoned criminal, and then to make laws against such and such things. Accordingly, even before this Commission for discipline was granted in the year 1664, several suffered for not assisting the *episcopal* incumbent, as *John Corsbie* in *Eastercotes* in the parish of *Cambuslang* was harassed from place to place. *Robert Hamilton* in *Spittal* in the same parish, was this year, 1666, persecuted on the same account. *William Alexander* and *William Baird* in *Drips* in the parish of *Carmonnock* were fined in an hundred pounds each. *Gasper Tough* in the parish of *Kilmarnock*, and *Andrew Taylor* joiner and carpenter there, suffered on the same account; nay, it was for refusing compliance with this order, among other things, that the *Laird of Aikenhead*, with some other Gentlemen, were confined to *Inverness*, *Elgin* of *Murray*, and other places at a vast distance from their own homes. But it is remarkable, that *Mr. John Paterson* Bishop of *Ross* wrote to his son, desiring him to acquaint *Sharp*, among other things, that the west-country Gentlemen confined in *Elgin*, &c. had done more mischief by coming north, than they could have done in their own houses, and begged that they might be recalled, that so they might not spread their infection further. — So that the sufferings of the persecuted turned to the real prejudice of the cause of *Prelacy*.

*Letters against
several
Ministers.*

As the Council's Commission for discipline, so the other proclamations, emitted with it, brought great distress upon the *ejected* Ministers. Accordingly, on the 25th of *January* the Council direct letters for apprehending and prosecuting the following Ministers.

Mr. John Welsh late Minister at *Irongray*, for preaching every week in the said parish and other places, and baptizing several children. *Mr. Gabriel Semple* late Minister at *Kirkpatrick* in the muir, for the like grievous crimes, and for riding thro' the country in disguise with sword and pistols. *Mr. John Blackader* late Minister at *Traquair*. *Mr. Robert Archbald* late

late Minister at *Dunscuir*. Mr. *Alexander Padan* or *Peden*, all for preaching and baptizing. Mr. *John Crookshank* for holding Conventicles and keeping by him *BUCHANAN de jure regni apud Scotos*, and translating the same into *English*. Mr. *Samuel Arnot* late Minister at *Kirkpatrick Durham*. Mr. *John Douglass*. Mr. *William Reid*. Mr. *John Wilkie*; and *John Osburn* in *Keir*, who presumed to act as an officer, in giving notice to the people of what they called unlawful meetings. Though all these were disaffected to *Prelacy*, yet none of them, as was falsely alledged in the general charge, had either preached or declared against the *King's authority*.

On the 1st of *February* the Council gave orders, that the excommunicated *Quakers* should be prosecuted according to Act of Parliament, and that the laws against the *Papists* should be put in execution; but it is well known that *Quakers* and *Papists* still increased. The Bishops were only in earnest to bear down the *Presbyterians*.

Accordingly, on the 8th of *February* a proclamation was published against a book entitled, *An apologetical relation of the particular sufferings of the faithful Ministers and Professors of the Church of Scotland since August 1660*. This book, which was composed in *Holland* by the Reverend Mr. *John Brown* formerly banished (page 147.) was ordered to be burnt, by the hand of the hangman, in the high street of *Edinburgh*, on the 14th of *February*, and all persons, who had copies of it, were commanded to deliver them to the Sheriffs of their respective shires, or else be liable to the payment of 2000 *l. Scots* money. Nevertheless this method did not answer their purpose; for the people were the more eager in seeking after prohibited books. But such was the *Popish* and *Prelatick* way of dealing with books, which they were not able to answer. But how vile it was to prosecute any for having that book, before the proclamation was exhibited against it, must be left with the reader; for, on the same 8th of *February*, the widow of the Rev. Mr. *James Guthrie* and her daughter *Sophia Guthrie* were brought before the Council, for no other reason, but for

Proclamation against the apologetical relation.

1666. having the said book, in which Mr. *Guthrie* is fully vindicated. And upon their refusing to discover the author, or from whom they had it, they were ordered to be sent to *Zetland*, where they were to be confined during pleasure, and to be kept prisoners, till they should be sent thither. But next Council day the members, being sensible of the harshness of this sentence, upon a petition from these Gentlewomen, referred the matter to the Commissioner.

*The Arch-
bishop of
Glasgow's
conduct.*

The ejected Ministers, as yet, for the most part, preached only to their own families, and to a few neighbours who now and then stole into their houses; so that, unless in a few places in the south, there were but few sermons preached in the fields. However, the oppressions of the people were now on the growing hand. And Mr. *Burnet* Archbishop of *Glasgow*, being now a member of the Privy Council, had no small share in the west country persecution. He was a mighty bigot for the *English* forms and ceremonies, and ordained five or six of his Curates publickly after the *English* Pontifical, the better to inure the west of *Scotland* to these novelties. He likewise grievously oppressed the city of *Glasgow*, so that some of the greatest *Episcopalians* protested against his incroachments upon the Magistrates of that city. He turned out several *Presbyterian* Ministers, who had been connived at before his accession, such as Mr. *William Hamilton* Minister at *Glasford* in the shire of *Lanerk*, and others: And his underlings were very assisting to him in his cruelties and oppressions.

*Burnet's
account,
p. 215,
216, 217.*

The Historian *Burnet* says, that many of the *episcopal* Clergy of *Scotland* were much offended at the proceedings of those times, and that he himself observed the deportment of the Bishops was, in all points, so different from what became their function, that he had a more than ordinary zeal kindled within him upon it. They were not not only *furios* against all that stood out against them, but were very remiss in all the parts of their function. — Whereupon he took a resolution of drawing up a memorial of the grievances he and the other clergy lay under by the ill conduct of the Bishops—of this he wrote out some copies and sent them to all the Bishops
of

of his acquaintance. — Whereupon he was called before the Bishops, and treated with great severity; for *Sharp* proposed, that he should be summarily deposed and excommunicated. But none of the rest would agree to that. — Let the reader judge whether matters were not bad, when a BISHOP gives such an account.

In the spring Sir *James Turner* marched with his soldiers to the *Presbyterians* in the west, and laid them under the most grievous oppressions; for the *Curate* with two or three of these *armed apostles* fined whom they pleased, and made as large exactions as they had a mind; for, as my author observes, now the Gentleman must pay, if his Lady, servant or tenants did not attend at the parish Church; the tenant must be oppressed, if his landlord withdrew, though he and his family attended ever so closely. The widow, the fatherless, the old and infirm were not spared, the very poor must beg to pay the Church fines. The meat was snatched from the mouths of innocent children; and thrown to the dogs, many houses were quartered upon; and when their provision was consumed, the furniture was either sold or burnt, so that multitudes of poor families were scattered and reduced to the utmost extremities. Who then can be surprised, tho' the Bishops, who were formerly hated for their perjury and immorality, were now the aversion of the people for their cruelty? for all this was by *their* instigation. I must refer the reader to my author's * appendix, and to the account given in † *Naphtali*, where he will find, what prodigious sums were extorted from the south of *Scotland*, and what unheard-of cruelties were exercised towards the poor people. In a few weeks, the Curates and soldiers levied above fifty thousand pounds *Scots*, from the two shires of *Galloway* and *Nithsdale* or *Dumfries* shire.

The *parliamentary* fines, of which we have spoken, were exacted with rigour this year, and, in order to this, the troopers of the King's guard were ordered to different parts of the country, with a list of those from whom they were to exact such and such sums, and to take

1666.

Sir James
Turner's
9th Decr.

* Vol. I.
No 2.
† 287,
&c.

*Parliamentary
fines exacted.*

1666. take free quarters, till they had paid the utmost farthing. Then they must go to *Edinburgh*, report their discharge, and satisfy the troopers besides. This was called *riding-money*, and sometimes the riding-money was as much as the fine itself to the common sort of people. No excuse was sustained, but taking the Oath of *Allegiance* and subscribing the *Declaration*; and they, who could neither entertain the troopers, nor pay their fines, were immediately dragged to prison, where they lay a considerable time at the King's charges.

Riding-money.

p. 214.

While matters were thus managed, the Primate repaired to *London*: and as the *High Commission* was dissolved, some other method must be taken to carry on his wicked designs. Accordingly, it was proposed, that some more *fines* should be raised for securing the quiet of *Scotland*. *Burnet* tells us, that when the King asked, how they should be paid, that *Sharp* very readily said, the money raised by *fining* was not yet disposed of, so he proposed the applying of it to that use, which was agreed to. And by this means, our Managers were baulked in their expectations of dividing the spoils among themselves. *Burnet* goes on, and says, The blame of all this was laid on *Sharp*, at which they were out of measure enraged, and charged him with it. He denied it boldly. But the King published it so openly, that he durst not contradict him. Many, to whom he denied, that he knew any thing of the matter, — affirmed it to the King, and *Lauderdale* laid before his Majesty several of his letters, which he had wrote to the *Presbyterians*, after the King knew he was negotiating for *Episcopacy*, — so that the King looked on him as one of the *worst* of men. And yet afterwards he was represented as a *Saint*.

New forces raised.

In consequence of the above resolutions, two regiments of foot, and six troops of horse were raised. *Thomas Dalziel* of *Binns* was made General, and *William Drummond* brother to the Lord *Maderie* Lieutenant General. These, with the guards and the Earl of *Linlithgow's* regiment, made up about 3000 foot, and eight troops of horse; all were ordered to obey the General, who was a man naturally rude and fierce,

without

without asking questions. This army was to be maintained by the fines collected, and to be collected, and the General was to be accountable to the exchequer for every farthing : but as most of these fines were otherwise disposed of, before they came into the General's hands, it was found necessary to lay new burthens on the subject, for the support of the army : Accordingly, about the end of the year, a proclamation was issued for calling a *Convention of Estates* to raise money for maintaining the soldiers, in defence of the kingdom. But their sitting was prevented for some time.

Mean while the Council passed an act on the 8th of *Arbitrary* *July*, forbidding university degrees to be conferred upon any students, who would not take the *Oath of Allegiance* and *Supremacy* ; for ecclesiastical tyranny is generally accompanied with encroachments on civil liberty. *proceed-ings.*

On the Lord's day, the 2d of *September*, a most dreadful fire began in *Pudding-Lane* behind the monument, *London*, which, within three or four days, consumed 89 Churches, the city gates, *Guildhall*, many publick structures, hospitals, schools, libraries, a vast number of stately edifices, 13200 dwelling houses, 400 streets ; so that multitudes of people lost their estates, goods and merchandise, and many families, once in flourishing circumstances, were reduced to beggary. *The fire of London.* From the inscription about the *Plinth* of the lower pedestal of the monument, it appears that the *Papists* were the authors of this fire ; for the inscription runs thus, " This pillar was set up in perpetual remembrance of the most dreadful burning of this *Protestant* City, begun and carried on by the treachery and malice of the *Popish* faction, in the beginning of *September* in the year of our Lord 1666, in order to their carrying on their horrid plot, for the extirpating the *Protestant* religion, and *old English* liberty, and introducing *Popery* and *slavery*." The Parliament, being of this persuasion, addressed the King to issue out a proclamation, requiring all *Popish* Priests and Jesuits to depart the kingdom within a month ; and appointed a committee, who received evidence of some *Papists*, that were seen throwing fire-balls into houses, and of others

1666. others who had materials for it in their pockets. This sad disaster produced some kind of liberty to the *Non-conformists* about the ruinous metropolis; whereas, the managers in *Scotland* continued to oppress their fellow subjects. Accordingly,

Incroachments on the royal Burghs.

On the 13th of *September*, the Council wrote to the town of *Air*, signifying, that it was their pleasure that *Provost Cunningham* should be continued this year as he was the last, and thus they were deprived of their right of election; nay, letters were sent to each of the royal Burghs, ordering them to send in to the Clerk of the Council, the *Declaration* appointed by Parliament, signed by all the members of their Town-council and Magistrates, since the last returns were made.

A rigorous proclamation.

On the 11th of *October*, the Council published a most rigorous proclamation, for procuring obedience to *ecclesiastical* authority, by which all masters were charged to see, that their servants gave obedience to all the acts relating to *Conformity*, and keep none in their service, but such as did. All heritors are to see to their tenants *conformity*, and their abstaining from *Conventicles*, and to oblige them to give *bond* for this effect, and to raise *burning* against them upon their refusal, &c. &c. This proclamation was in consequence of a letter from the King, at the instigation of *Sharp*. Now by all these impositions, exactions and terrible incroachments upon every thing that was dear to men and Christians, the spirits of many could not but be embittered.

Nevertheless, the poor people lay under all these miseries, for the space of seven months and upwards, after Sir *James Turner* marched to the west in the spring, and not only discovered their patience towards God, but gave a greater testimony of their loyalty and submission to the King, than all the *fulsome* and *flattering professions* of their enemies.

Occasion of the rising at Fentland.

Sir *James* continued to make terrible havock in the west and south, insomuch that the country was almost ruined, families were dispersed, and many, both Gentlemen and others, were forced to abandon their houses, and wander from place to place among the † moorlands and mountains, to escape the ravages of the merciless soldiers,

† *Moorlands*

diers, without having the least thoughts of resistance, or rising in arms for their own defence; for that which, in a little time, happened at *Pentland*, was entirely casual. Thus,

Upon *Tuesday* the 13th of *November*, four countrymen, refreshing themselves in *Dalry* a small country village in *Galloway*, were informed, that three or four soldiers had seized a poor old man, and brought him to his own house, where they were going to strip him naked, and set him upon a red-hot grid-iron, and using other unheard-of cruelties. Whereupon they immediately repaired to the house, and begged the soldiers to let the poor man alone; but they, instead of complying with this reasonable desire, attacked the countrymen, who got the better, and disarmed the soldiers, and thereby relieved their fellow-sufferer. And, lest the other soldiers in the parish, who were about twelve in number, should fall upon them, they were joined, that same night, by seven or eight acquaintances, and, next morning early, surpris'd the party of soldiers, who all laid down their arms, except one who was killed in making resistance.

The country upon this was alarmed, and being justly apprehensive of the reprisals which Sir *James Turner* would make, they resolv'd to stand upon their own defence the best way they could. Accordingly, the Laird of *Barscob*, and some other Gentlemen in the neighbourhood, joined the countrymen, and, getting together about fifty horse and a few foot, without loss of time, went to *Dumfries* on the 15th of *November*, where they surpris'd Sir *James*, took him prisoner, and disarmed his soldiers, without hurting any of them, except one who was wounded. This being done, they went to the market cross and publickly drank the King's health and prosperity to his government.

This was the beginning of this affair; and therefore it is false to pretend, that this rising was in concert with the *Whigs* in *England*, or the *republicans* in *Holland*, such a correspondence, as my author observes, not being practicable, considering the circumstances above related. *Rapin* justly observes, that it may easily be judged, that

1666.
~~~~~  
*Soldiers  
disarmed  
at Dalry.*

*Sir James  
Turner  
made pri-  
soner.*

*False ac-  
counts of  
this rising.*



1666. the *Presbyterians* in *England* would not have been spared, if they could have been proved guilty, considering how the Government stood affected towards them. Vol. II. p. 644. Neither was this the effect of any previous consultation with their Ministers, as Bishop *Burnet* intimates; so that he says, without any ground or proof, that Messrs. *Simple*, *Maxwel*, *Welfsh* and *Guthrie*, were the chief incendiaries. The reader is to judge whether the informations *Burnet* had, or those of my author are most to be depended upon.

p. 233.

*Stephen Irvine*, one of the Magistrates of *Dumfries*, inform'd the Council, on the 16th of *November*, of an insurrection by a considerable number of armed men, particularly that he saw — *Neilson* of *Corsock*, *M<sup>c</sup>Lellan* of *Barscob*, Mr. *Alexander Robertson* a Minister's son, — *M<sup>c</sup>Cartney* of *Blasket*, and *James Callum* glover in *Dumfries* among them.

Proceed-  
ings of the  
Council.

This news struck a panic into the *Prelates* and *Magistrates* at *Edinburgh*, who immediately dispatch'd an express to court. The *Earl of Rothes* had gone for *London* a day or two before the affair at *Dalry*; so that the express reached the King before his Lordship, who was quite surpris'd, when his Majesty told him of this horrible conspiracy, as the Council term'd it. At the same time, the Council wrote to the neighbouring Noblemen, to exert themselves in maintaining the peace, and to concur with and support the forces. Next day they order'd General *Dalziel*, with as many of the forces as could be got together, to march to *Glasgow*; and from thence to the place, where he should find the insurrection come to any head; after they had taken care to secure the Metropolis, and given orders to several of the Nobility, to contribute their assistance by coming in with their men and arms. On the 21st they issued a Proclamation against the rebels in arms in the west, commanding and charging them to desist from their rebellion, and lay down their arms; and surrender their persons to the Lieutenant General, or some other of the King's Officers or Magistrates, within 24 hours after this publication; and discharging all persons from aiding, assisting, resetting or harbouring, or keeping any

any correspondence with the rebels or any of them under the pain of treason.

1666.

This Proclamation contain'd *no promise of indemnity*; *Remarks.* so that, upon the matter, it was a commanding people to come to the scaffold, and a requiring them to submit to the severities of the *Prelates*, who were the fountain of all their miseries. Besides, 24 hours, after the date of the Proclamation, was so short a time, that it would be elapsed before it could reach *them* in *Galloway*; so that it was not possible for them to comply with the terms of it: Bishop *Burnet* therefore was misinform'd, *p. 235:* in saying that the General published a Proclamation of pardon to all who should, in 24 hours time return to their houses.

But as for the people in arms. After they had seiz'd Sir *James Turner*, and were determin'd to defend themselves, their first care was to encrease their numbers, and get all the assistance, they could, from their friends: But several, whom they hoped would have joined them, thought it convenient to remain quiet. However, they were joined by Colonel *Walace*, Mr. *John Welsh*, Mr. *Robertson*, and others. When they were got to *Orchil-tree*, Mr. *John Guthrie* Minister at *Tarbolton*, came to them with some men from that parish; Mr. *Gabriel Semple* preach'd to them, and here they modell'd themselves, and chose their own officers, and held their first Council of war; where, after prayer, they resolv'd to march eastward to *Edinburgh*. And when they were got to *Douglafs*, after debating upon that important question, whether they should disperse or continue in arms, it was resolv'd upon the latter; believing, that God was able to save by a few as well as by many. And if their design should miscarry, they had this for their comfort, that they had engag'd in the cause of religion and liberty, and were not unwilling to die, as sacrifices to *these*. They also resolv'd to carry Sir *James Turner* along with them; and tho' it was propos'd to take away his life, yet they spared him, because, it is said, they found, that, notwithstanding all the cruelties he had us'd, he had received orders from the Bishops, and others, for

*Proceed-  
ings of  
those in  
arms.*

1666. a great deal more than he had done. They also unanimously resolved to *renew the COVENANTS*.

Accordingly, on sabbath morning they marched to *Lanerck*, to which they came at night. In the way, *Knockbreck's* two sons, with some few from *Galloway*, overtook them, and signified, that no more were to be expected from the south; and here their numbers were the largest, being judged to be near three thousand: However, one, who was among them, says, "When we came to *Lanerck*, I know not, if we were much above fifteen hundred horse and foot; several indeed were daily joining us."

*They renewed the Covenant.*

This night they gave intimation, that they intended next day, being the 26th of *November*, to renew the COVENANT at that place. In the morning they were alarm'd with the news, that General *Dalziel* was within a few miles of them; whereupon some were for postponing the renewing of the *Covenants*, but that motion was rejected. And therefore, after they had sent out some parties and placed proper guards, they began the solemn work. And as they could not, together with the townsmen and the people in the adjacent country, meet all in one place, they separated into two companies. The foot assembled in the high street of *Lanerck*, to whom Mr. *John Guthrie* Minister at *Tarbolton* preach'd a sermon, suitable to the occasion. After which he read the COVENANTS, to every article of which, with their hands lifted up to heaven, they engaged with great solemnity and devotion. The horsemen met at the head of the town. Mr. *Gabriel Semple* and Mr. *John Crookshank* preach'd to them. After sermon the COVENANTS were read and sworn as above. It is likely, it was about this time, that the principal persons among them drew up, and agreed to the following short manifesto or declaration for present use; with a view to draw up a larger one afterwards; neither month nor day is mention'd.

{ Declaration of those in arms for the Covenant, 1666.

"THE nature of religion doth sufficiently teach,  
 " and all men almost acknowledge the lawfulness of  
 " self-defence; yet we thought it our duty

" a-



“ at this time, to give an account, unto the world, of the  
 “ occasion and design of our being together in arms,  
 “ since the rise and scope of actions, if faulty, may  
 “ render a thing, *right* upon the matter, *sinful*.

“ It is known to all, that the King’s Majesty, at his  
 “ coronation did engage to rule the nation according to  
 “ the revealed will of God in scripture, to prosecute the  
 “ ends of the *national and solemn league and Covenants*,  
 “ and fully to establish *Presbyterian* government, with  
 “ the directory for worship, and to approve all acts of  
 “ parliament establishing the same; and thereupon the  
 “ nobility and others of his subjects did swear allegiance,  
 “ and so religion was committed unto him, as a matter  
 “ of trust, secured by most solemn indenture betwixt  
 “ him and his people.

“ Notwithstanding all this, it is soon ordered, that  
 “ the *Covenant* be burnt, that the tie of it is declared  
 “ void and null, and men forced to subscribe a *Decla-*  
 “ *ration* contrary to it. *Episcopal* government, in its  
 “ height of tyranny, is established; and men obliged  
 “ by law, not to plead, witness or petition against those  
 “ things. Grievous fines, sudden imprisonments, vast  
 “ quarterings of soldiers, and a cruel inquisition by the  
 “ *High-commission-court* were the reward of all such,  
 “ who could not comply with the government by *lordly*  
 “ *Hierarchy*, and abjure their Covenants, and prove  
 “ more monstrous to the wasting their conscience than  
 “ nature would have suffered heathens to be. Those  
 “ things, in part, have been all *Scotland* over, but  
 “ chiefly in the poor country of *Galloway* at this day;  
 “ and, had not God prevented, it should have, in the  
 “ same measures, undoubtedly befallen the rest of the  
 “ nation ere long.

“ The just sense whereof made us choose rather to  
 “ betake ourselves to the fields for self-defence, than to  
 “ stay at home burthened daily with the calamities of  
 “ others, and tortured with the fears of our own ap-  
 “ proaching misery. And considering our engagement  
 “ to assist and defend all those, who entered into this  
 “ *League and Covenant* with us; and to the end, we  
 “ may be more vigorous in the prosecution of this mat-

“ ter,

1666.

“ter, and all men may know the true state of our  
 “cause, we have *entered* into the *solemn League* and  
 “*Covenant*; and, tho’ it be hardly thought of, *renewed*  
 “the same, to the end we may be free of the Apostacy  
 “of our times; and saved from the cruel usages, per-  
 “sons resolved to adhere to this have met with;  
 “hoping, that this will wipe off the reproach that is  
 “upon our nation, because of the avowed *perjury* it lies  
 “under. And being fully perswaded that this *League*,  
 “however misrepresented, contains nothing in it sinful  
 “before God, derogating to the King’s just authority,  
 “the privileges of the Parliament or liberty of the peo-  
 “ple; but, on the contrary, is the surest BOND,  
 “whereby all these are secured, since a threefold cord is  
 “not easily broken, as we shall make appear in our  
 “next and larger *declaration*, which shall contain more  
 “fully the proofs of the lawfulness of entering into *Co-*  
 “*venant*, and necessity of our taking arms at this time  
 “for the defence of it; with a full and true account of  
 “our grief and sorrow for our swerving from it, and  
 “suffering ourselves to be divided, to the reproach of  
 “our common cause, and sadning the hearts of the  
 “godly; a thing we sorrowfully remember and firmly  
 “resolve against in all time coming.”

Remarks.

Tho’ this paper seems to have been made in haste, in the midst of many insurmountable inconveniences; yet there is nothing in it against the King’s Authority. As for the larger *declaration* promised, it is probable, that it was never drawn up, they having been a little after this routed at *Pentland*.


Black-

wood sent.

While they were at *Lanerk*, *William Lawrie* of *Blackwood* came up to them from *Duke Hamilton*, to prevail with them to lay down their arms; but as he did not apply to *Colonel Wallace*, or any of the officers of the army, he departed without success.

Motions of  
 Colonel  
 Wallace.


In the afternoon *Dalziel* with his army came to *Lanerk*, before *Colonel Wallace* and his men had left it, so that they march’d that night to *Bathgate*, where, having no accommodation, they renewed their march about midnight, and came, after inexpressible fatigue, to the

*Newbridge* in the morning; and it was reckoned, that 1666.   
they lost that night, near the half of their little army.  
From thence they march'd to *Collingtoun*, within three  
miles of *Edinburgh*.

By this time, the King's forces were come to *Calder*, within five miles of them, and all Gentlemen and others in *Edinburgh*, who had horses, were ordered by the Council to mount them, and march under the command of the Marquis of *Montrose* to join the General, so that they could not have any of their friends to join them; for tho' a few Gentlemen in *Renfrew-shire* had assembled a small company of horsemen, as was given out, about fifty in number, in order to join Colonel *Wallace*; yet, hearing that *Dalziel* was between them and their friends, they thought proper to disperse. This small party was commanded by *William Muir* of *Caldwel*; and with him were *Robert Ker* of *Kerland*, *Calawel* of that ilk, the Laird of *Ralsion*, *John Cunningham* of *Bedland*, *William Porterfield* of *Quarreltoun*, *Alexander Porterfield* his brother, &c. together with Mr. *Gabriel Maxwell*, Minister at *Dundonald*, Mr. *George Ramsay* Minister at *Kilmarwers*, and Mr. *John Carstairs* Minister at *Glasgow*. The Laird of *Blackstoun* was likewise with this party, but he was so far from being a friend to the cause they were appearing for, that, upon hearing of the defeat at *Pentland*, it is said, that he went to the Archbishop of *Glasgow*; and, upon promise of pardon, discovered and informed against the rest.

But to return to Colonel *Wallace* and his decreasing army. Black-wood's  
When on their march to *Collingtoun*, the Laird of *Black-wood's*  
*wood* came up again to them, with proposals from Duke *negotiation*.  
*Hamilton*, to lay down their arms, in hopes of an indemnity, which the Duke promised to endeavour to obtain; but the Colonel and they who were with him, dismiss'd *Blackwood* without complying with his proposals. When they got to *Collingtoun*, and found themselves disappointed of any assistance from their friends about *Edinburgh*, both their hopes and counsels were at an end. And here *Blackwood* came a third time, and with him the Laird of *Barskimming*, to renew the former proposal; withal signifying, that he had obtain'd the General's word of honour,



1666.  nour, for a cessation of arms, till next morning; and that he had undertaken as much from them. Upon this Colonel *Walace*, by appointment, wrote to the General by these two Gentlemen, representing their grievances; and signifying, that their design was to apply to the Council for redress, and desiring a pass for one of their number, that might represent their grievances and desires more fully; concluding with a request that *Blackwood* might return with the General's answer as soon as possible.

But the General, instead of returning any answer, sent the letter directly to the Council; and, notwithstanding the assurances given of a cessation of arms, march'd his army straight towards them. Colonel *Walace* and his men resolv'd upon the best retreat they could, and from *Collingtoun* they march'd to the house in the *Muir*, and from thence to *Rullion Green* near *Pentland* hills, where they drew up the dispirited remains of their army, not exceeding nine hundred men, spent and fatigued. They had no design of fighting, but were still in hopes of a peaceable conclusion from *Blackwood's* negotiation.

*Battle of  
Pentland.*

But they were scarce formed in this manner, when an alarm came that a body of horse was approaching them; they found it was *Dalziel's* van, which had cut thro' the ridge of *Pentland* hills, and come upon them undiscovered, till they were within a quarter of a mile, upon a hill over against them. Colonel *Wallace*, upon this, sent Captain *Arnot*, who repuls'd Lieutenant-General *Drummond*, who was sent by the General, with a select party, to begin the attack. Here Mr. *John Crookshank* and Mr. *Andrew M'Cormock*, two Ministers come from *Ireland*, were both kill'd. When the Lieutenant-General was driven back, there was no small confusion among *Dalziel's* army, of whom not a few threw down their arms. Major *Lermont* made the second attack, and repuls'd the enemy. Duke *Hamilton* narrowly escaping. The last encounter was after sunset, when the General's foot, flank'd with their horse upon all hands, overpower'd the Colonel's little army, and compleatly rooted them. There were some

some more than fifty of the Colonel's men kill'd, and as many taken prisoners. The two Ministers, and the rest who lost their lives in this action, were buried at *Rullim-Green*. There was afterwards a stone put on their grave, with an inscription, which the reader will find in the *cloud of witnesses*. Very few of *Dalzeil's* army was kill'd, but several were wounded.

After this action on the 28th of *November*, the country people were very cruel to the fleeing army, many of whom were killed, and several taken prisoners by the people in the adjacent parishes. Colonel *Wallace* and Mr. *John Welsh* fled north: the former got safe to *Holland*, where he lived several years. We shall meet with the latter afterwards. Thus was this body of good people dispersed and routed, and an end put to this rising, which, by their enemies, was termed a **REBELLION**, a horrible conspiracy, and what not; tho' they always protested, that their only design was to present their grievances, and bear a testimony for their God and their country, for their religion and liberty.

The day after the engagement, the Council wrote to the King, giving him an account of the suppressing of the rebellion; in which, among other things, they say  
*Account of this action given to the King.*  
 " many of them are prisoners, against whom there shall  
 " be speedy proceedings.—But although this rabble be  
 " totally dissipated for the time, yet we conceive our-  
 " selves obliged, in the discharge of our duty, to repre-  
 " sent unto your Majesty, that those principles, which  
 " are pretended as the ground of this *rebellion*, are so  
 " rooted in many several places thro' the kingdom; and  
 " there be such just grounds of apprehensions of danger  
 " from persons disaffected to your Majesty's govern-  
 " ment, as it is now established by law as will require,  
 " *more vigorous* application, for such an extirpation of it,  
 " as may secure the peace of the kingdom, and due obe-  
 " dience to the laws. And we shall not be wanting, in  
 " any thing in our power; and your Majesty's com-  
 " mands shall be obeyed by

" Your Majesty's most, &c.

" St. ANDREWS, &c."

1666.

*Some consequences of this rising.*

Now this small handful having been provoked to rise in arms, great care was taken, not only to brand the whole body of the *Presbyterians* as *rebels* and *traitors*, but also to prevent any of those, who had been in the rebellion, from making their escape. On the 30th of *November*, the Lord Treasurer was appointed by the Council to secure the goods and rents of all who had been at *Pentland*. After all this, it is easy to imagine, that the hardships of these poor people must have been exceeding great. Not a few, who had escaped in the field of battle, were most cruelly murdered by the country people, and multitudes were forced, for many years, to lurk and conceal themselves, and undergo intolerable difficulties.

*Orders for a search.*

“ On the 1st of *December*, the Council gave orders to General *Dalziel*, to search for and apprehend all persons, and their horses, who have been in arms with the rebels, or are suspected, since or before their defeat, or who have refet and been aiding to them, and to † intromit with their goods, and require him to quarter upon their lands with his forces; and Duke *Hamilton* was appointed to seize all such in *Lanerkshire*.”

† *seize upon.*

*Proclamation against the rebels. † receive.*

On the 4th of *December* a very severe proclamation was published, in which all and every one of the subjects were strictly charged not to harbour, † refet, supply or correspond, hide or conceal the persons of Colonel *James Wallace*; Major *Learmont Maxwell* of *Monrief* younger—*Maclelland* of *Barscob*,—*Gordon* of *Parbreck*,—*Maclelland* of *Balmagachan*,—*Cannon* of *Burnshalloch* younger,—*Cannon* of *Barley* younger,—*Cannon* of *Mordrogget* younger,—*Welsh* of *Skar*,—*Welsh* of *Cornley*,—*Gordon* of *Garcry* in *Kells*; *Robert Chalmers* brother to *Gadgirth*; *Henry Grier* in *Balmacellan*; *David Scot* in *Irongray*; *John* and *William Gordon*; *John Macknaught*; *Robert* and *Gilbert Cannon*, all in *Midtoun* of *Dalry*;—*Gordon* of *Bar* elder in *Kirkpatrickdurbam*, *Patrick M<sup>c</sup>Knaught* in *Cumnock* and his son *John*;—*Gordon* of *Holm* younger;—*Dempster* of *Carridow*,—of *Dargoner*,—of *Sundiwal*;—*Ramsay* in the *Mains* of *Arnisloun*; *John Hutchison* in *Newbotle*;—*Row* chaplain to *Scotstarbet*; *Patrick Listoun* in *Calder*,



*Calder*, and his son *William*; *James Wilkie* in the *Mains* of *Cliftounball*; the Laird of *Caldwel*; the † Goodman of *Caldwel*; the Laird of *Kersland*; the Laird of *Bedland-cunningham*;—*Porterfield* of *Querreltown*; his brother *Alexander*,—*Lochart* of *Wicketshann*;—*Trail* son to *Mr. Robert Trail*; *David Poe* in *Pokelly*; *Mr. Gabriel Semple*, *John Semple*, *Mr. John Gutbry*, *Mr. John Welsh*, *Mr. Samuel Arnot*, *Mr. James Smith*, *Mr. Alexander Peden*, *Mr. — Orr*, *Mr. William Veitch*, *Mr. — Patton*, *Mr. — Cruikshanks*, *Mr. Gabriel Maxwell*, *Mr. John Carstairs*, *Mr. James Mitchel*, *Mr. William Forsyth*, or any others, who concurred or joined in the late rebellion; but that they pursue and apprehend them, and deliver them up to justice; otherwise to be esteemed and punished as favourers of it. My author was informed that several of those abovementioned were no-ways concerned in the rising. *Mr. John Crookshank* was killed in the action; so that none could be in hazard of any correspondence with him: And as the *John Semple*, mentioned among the Ministers, might be mistaken for one *Mr. John Semple* Minister at *Carsphairn*, who was no ways concerned, so he was obliged to crave redress, which was granted.

1665.  
† be that  
route the  
form.

Remarks.

The same day, that the above proclamation was issued, the Council desired the Archbishops to order all the Bishops, in their respective sees, to oblige all the Ministers, in their several dioceses, to give in a list of the names of such ejected Ministers, with the places of their residence, and in what manner any of them have transgress'd the act of *August 13th, 1663* (see p. 166.)

But to come to the case of the prisoners taken at this time. The victory was celebrated with, almost, as many guns from the castle, as there were men slain in the fields. The prisoners, about fifty in number, who were taken in the action, were brought in by the soldiers to *Edinburgh*, and the country people brought in about thirty more. These were all crowded together in a place near the *Tolbooth*, call'd *Haddocks-hole*, which is now one of the churches of the city. When that worthy old Minister *Mr. Arthur Murray*, who liv'd in the

Case of the  
prisoners.

1666. suburbs, opened his window, and saw *Dalziel's* army marching with their banners display'd, and heard the shouts of the soldiers triumphing over the prisoners; he was so impress'd with grief, that he took to his bed immediately, and died in about two days after.

Sharp's  
cruelty.  
p. 236.

Bishop *Burnet* says, "that the best of the *episcopal* Clergy, set upon the *Bishops*, to lay hold on this opportunity for regaining the affections of the country, by becoming intercessors for the prisoners, and the country, that was like to be quartered upon and eat up, for the favour they had express'd to them; and that many of the Bishops went in to this, and that *Wisheart* Bishop of *Edinburgh* shewed a very christian disposition at this time, by sending, every day, very liberal supplies to the prisoners, which was likewise done by almost the whole town.—But *Sharp*, says *Burnet*, could not be mollified; on the contrary, he encouraged the Ministers, in the disaffected counties, to bring in all the informations they could gather, both against the prisoners, and against all who had been among them, that they might be sought for and proceeded against.—And that the Ministers, in these parts, acted so unbecoming a part, that the aversion of the country to them was encreased to all possible degrees. They look'd on them as *wolves* and not as *shepherds*." There is one thing more that my author asserts, upon good information, *viz.* that after some of the prisoners were condemned, and a few executed, a letter came down from the King, discharging the taking any more lives. This letter came to *Sharp* as President of the Council; but he kept it up till as many, as he had a mind, should die. Bishop *Burnet* says, that Mr. *McKail's* death, of which we shall hear, was the more cried out on, because it came to be known afterwards, that Archbishop *Burnet* of *Glasgow*, who had come down before his execution, had brought with him a letter from the King, in which he approved of all that they had done; but added, that he thought there was blood enough shed, and therefore ordered, that such of the prisoners, as should promise to obey the laws for the future, should be set at liberty; and that the incorrigible should be sent to the plantations. But

*Burnet*

*Burnet* let the execution go on, before he produced his letter." But I am apt to believe, that if *Burnet* brought this letter from the king, he delivered it into the hands of *Sharp*, who wickedly and basely concealed it. But however this was, it appears the King was more humane than the *Bishops*.

1666.

On the said 4th of *December*, the Council ordered the King's advocate, to prosecute eleven of the prisoners for high treason, viz. Major *John McCulloch*, Captain *Andrew Arnet*, brother to the Laird of *Lochbridge*; *Thomas Paterson* merchant in *Glasgow*; *John Gordon* of *Knockbreck*, and his brother *Robert*; *John Parker* in *Busbie*, *Gavin Hamilton*, *James Hamilton* in *Kilmuir*; *John Ross* in *Mauchlin*, *John Shields* in *Titwood*, *Christopher Strang*. They likewise appointed Sir *John Hume* of *Rentoun* justice clerk, and Mr. *William Murray* advocate, justice depute, to be their judges; and allowed them four advocates to plead for them. On the same day, the judges sat down, and, for form sake, heard the advocates plead a little; but very quickly pronounced sentence, that they should be all hang'd, at the market cross, on *Friday* the 7th of *December*; their heads and right arms to be cut off, and to be disposed of, as the Council should see fit. The Council, the day before the execution, met and ordered, that the heads of Major *McCulloch*, *John* and *Robert Gordons* be set up at *Kirkcudbright*; *John Parker*, *Gavin* and *James Hamilton*, and *Christopher Strang*, at *Hamilton*; *John Ross* and *John Shields* at *Kilmarnock*, and Captain *Arnot's* at the water-gate; and the right hands of the above-mentioned persons were ordered to be affixed on the publick † ports of the town of *Lanerk*, being the place where they took the COVENANT. *Thomas Paterson* received sentence of death along with the rest, but his dying of his wounds prevented the execution. The curious reader may see the whole process, against these excellent persons, in my author's appendix to Book 2d Vol. I. N. 9.

The condemnation of eleven of the prisoners.

† Gates.

These ten were accordingly executed on the 7th of *December*. Bishop *Burnet* says true, that it was a moving sight to see ten of the prisoners hanged upon one gibbet at *Edinburgh*, especially if we consider that they were taken

Ten executed.



1666. taken upon quarter and solemn parole to have their life spared, as was argued at their trial. In their joint testimony, which, together with the dying speeches of some of them, are in *Naphtali*. They say, “We are condemned by men, and esteemed by many as *Rebels* against the King, whose authority we acknowledge. But this is our rejoicing, *the testimony of our conscience*, that we suffer not as evil-doers, but for righteousness, for the word of God and the testimony of Jesus Christ, and particularly for our renewing the COVENANT, and, in pursuance thereof, for preserving and defending of ourselves by arms against the *usurpation* and insupportable tyranny of the *Prelates, &c.*” It is said, that when *Knockbreck* and his brother were turned off the ladder, they clasped one another in their arms and endured the pangs of death.

Their heads and right-hands were disposed of according to the above order of Council. The heads of *John Parker*, *Gavin* and *James Hamilton*, and *Christopher Strang* were afterwards buried in the Church-yard of *Hamilton*; a grave-stone was put on them with an inscription recorded in the *cloud of witnesses*.

*Sufferings  
of some of  
their fa-  
milies.*

Great were the hardships which some of the families of these martyrs were brought to; for instance, Major *McCulloch*, before *Pentland*, had several soldiers quartered upon him for thirty days, and, besides their entertainment, had eight pence a day to pay to each of them, over and above a hundred pounds of fine to Sir *James Turner*. He paid likewise his whole parliamenatry fine 1665, consisting of 1200 merks, together with 300 merks of *riding-money* to the soldiers, who exacted it. His estate lay under forfeiture from *Pentland* to the *Revolution*. After *Pentland* one *Charles Campbell*, without any warrant, seized a horse and cloaths from his son *William*, who was not in the least concerned in the rising, to the value of thirteen pounds sterling. His eldest son was kept a whole year in prison, after his father's execution, only because he was his son. And in the year 1681, his lady had those lands forfeited, in which she was happily infect, when her husband suffered.

The

1666.



The harassings and losses of the family of *Gordon of Knockbreck*, cannot be expressed; for besides their parliamentary fine, and their common losses with others in *Galloway* by *Sir James Turner*, in a little after *Pentland*, their whole crop, for that year, was seized, and their household furniture disposed of and destroyed, six soldiers were quartered upon the house from the 6th of *March* to the 9th of *July*; near 400 pounds of cess and other impositions were levied from them and their tenants. In 1684, *Captain Strachan* and his troop seized upon and destroyed their whole household furniture: next year *Glenlyon* with near 200 *Highlanders* stayed at *Knockbreck* from *Thursday* to *Monday*, consumed and took along with them all the victual they could find, broke the windows, and took the horses to bear away the spoil. And last of all, cruel *Lagg* came with a party, plundered the house, and was, with difficulty, prevented from setting it on fire. From these the reader may form a judgment of the calamities that be-fell the families of those who suffered at this time.

The last execution being over, other five of the prisoners were prosecuted for high treason, and condemned to be hanged at the cross of *Edinbugrh* on the 14th of *December*. The judges did not, it seems, now give themselves the trouble of hearing advocates, but made shorter work, and went upon their own confession: and the Council, being weary of disposing heads and arms, ordered the Magistrates of *Edinburgh* to fix their heads where they thought fit, and to bury their bodies in the common place. Their names are as follow, viz. *Mr. Alexander Robertson* preacher of the gospel, who was betrayed by his friend the *Laird of Mortoun*, to whom he surrendred upon promise of his life, and whom he expressly forgave at his death. *John Neilson* of *Cor-sack*, *George Craxford* in *Cumnock*, *John Lindsay* in *Edin-burgh*, and *John Gordon* in the parish of *Irongray*. They were all executed at the time and place appointed, only *John Lindsay* was respited. The speeches of the first three are in *Naphtali*, to which I refer the reader. These all, with their last breath, refused that their rising was rebellion; they all acknowledged the King's just au-  
thority;

Other five  
condemned.  
et.

1666. *thority*; particularly *George Crawford* expressed himself in these terms, “That which moved me to come along with these men, was their perswasion and my desire to help them (which, with a safe conscience, I could not well refuse) who being tyrannically oppressed by the *Prelates* and their dependants and upholders, and seeing no other way was left to be taken, took up arms for their own defence. And if this be *rebellion*, I leave it to the great God the supream judge to discern: for, in my weak judgment, I found it war-rantable from the word of God, and without pre-judice of the King’s authority (which I pray God to direct and guide in the right ways of the Lord, and to make him prosper therein, so that he may be surely set in his kingdom, having him whom no enemy can resist to defend him) seeing there was no thing intended by us against his, or any others just and lawful authority, &c.” He was so pleased to die, that he pressed to be up the ladder; and when upon the top of it, triumphed in Christ.

*The pecu-  
liar suf-  
ferings of  
John Neil-  
son of Cor-  
sack and  
his family*

*John Neilson* of *Corsack*, a Gentleman of excellent parts, was singled out to greater sufferings than any of his fellow-sufferers. When Sir *James Turner* came first into *Galloway*, Mr. *Dalgleish* the Curate of *Partan* de-lated *Corsack* for *nonconformity*; whereupon Sir *James* exacted four hundred pounds *Scots* from him, and, contrary to promise, sent him prisoner to *Kirkcudbright*. After this, by the quartering of soldiers, which Sir *James* sent upon him, he sustained the loss of above nineteen hundred and ninety three pounds *Scots*. By these hardships he was obliged to leave his house, and wander from place to place. During his wandering, he lost his horse worth a hundred pounds, was himself apprehended, and for some time kept a prisoner. When they had turned his Lady and children to the doors, they next fell upon his tenants, obliging them to bring them in sheep, lambs, meal and malt, till they were almost all ruined. And last of all, they drove all his oxen and black cattle to *Glasgow*, and sold them; and all this for nothing but *nonconformity*. Was it then any wonder that he and many others, in the like circumstances, em-braced



braced the first opportunity to complain of, and relieve themselves, if possible, from such dreadful oppressions? but while attempting this, he was taken at *Pentland*, and carried prisoner to *Edinburgh*. Sir *James Turner* used his interest to get his life spared, because *Corsock* saved Sir *James*, when some moved to have him cut off, though none suffered more from Sir *James* than this holy good man. But the Bishops, at the instance of *Dalglish* the Curate, prevailed above all the interest Sir *James* could make.

On the 4th of *December*, the Council ordered him and Mr. *Hugh M<sup>c</sup>Kail* to be tortured with the boots (for they put a pair of iron boots close on the leg, and drove wedges between these and the leg, until the marrow came out of the bone). What moved the Council to pitch upon these two is not known. A conspiracy was pretended; and by this torture they were examined, in order to force them to make some discoveries. *Corsock* was dreadfully tormented, so that his shrieks would have melted the hearts of any, but of those who were present, who were so far from being moved, that they still called for the *other touch*. These were the blessed times of *Prelacy*!

*He was tortured with the boots.*

His Lady being in *Edinburgh* after his death, *Max-wel* of *Milltown* came to the house of *Corsock* with thirty men, took away every thing they could, and destroyed the rest: nay, they turned the family and a nurse with a sucking child to the open fields. Some time after this Sir *William Bannantyne* came, and took an inventory of every thing that was in the house, seized that years crop, and arrested the rents in the tenant's hands. Because *Arthur M<sup>c</sup>Gachie* in *Glenhead*, one of his tenants, had conversed with him a day or two before *Pentland*, he, his wife and a young child were carried off prisoners, and kept some weeks. And besides a great many other hardships, this Lady *Corsock* had all her moveables seized, meerly for conversing with her own son, who had been *intercommuned* or outlawed, and paid near an hundred pounds. This family endured many other oppressions which I cannot insert here. And therefore I go on to the proceedings against the other prisoners.

*The sufferings of his family after his death.*

1666. On the 5th of *December* a commission was given to Duke Hamilton, the Marquis of Montrose, the Earls of Argyle, Linlithgow, Kelly, Galloway, Wigtoun, Nithsdale, Dumfries, Callender, Airly, Annandale, the Lords Montgomery and Drumlanerk, the Master of Cochran, General Dalziel, Lieutenant-General Drummond, James Crichton brother to the Earl of Dumfries, Colonel James Montgomery, Charles Maitland of Haltoun, Mungo Murray, or any three of them, with † justiciary power to go to any shire, burgh or place, where there was any rising or insurrection, and there to hold courts, cite parties and examine witnesses, and take all other courses, which they shall think fit, for trying and discovering all such persons, who were authors, aiders, or abettors of the rebellion, &c.

Execution at Glasgow. Accordingly, on the 17th of *December* the Earls of Linlithgow and Wigtoun, the Lord Montgomery and Mungo Murray constituted themselves in a Court at Glasgow, and found the following persons guilty of rebellion and treason, and condemned them to be hanged at Glasgow upon *Wednesday* the 19th of *December*, viz. Robert Buntine in *Finwick* parish, John Hart in the parish of *Glasford*, Robert Scot in *Dalserf*, and Matthew Paton shoemaker in *Newmills*. They behaved in a becoming christian way, had great peace of conscience, and much joy and comfort.

Drums beat at executions. It was here, that vile practice was begun, which turned afterwards common, of beating drums, when the sufferers began to speak to the spectators. A plain evidence of an ill cause, which cannot bear to see the light. The persecutors were afraid, lest the last words of these dying martyrs, should make deep impression on the hearers, and confirm the faith of those, who were well affected to liberty and religion; and indeed, such was the christian and manly behaviour of these noble sufferers, that few were terrified by their death, and many were convinced of the goodness of their cause, and fixed in their resolutions to adhere to it.

More condemned. Upon the 18th of *December* Sir John Hume and Mr. William Murray at *Edinburgh* condemned the following persons

persons to be hanged at the cross of *Edinburgh* on the 1666. 22d of *December*, viz. Mr. *Hugh McKail*, *Thomas Lennox*, *Humphry Colquhoun*, *Ralph Shields* an *Englishman* and executed at cloathier in *Air*, *William Pedin* merchant there, *John Edin- Wodrow* merchant in *Glasgow*, *Robert McMillan*, *John Wilson* in the parish of *Kilmawers*, *Mungo Kaipo* in *Evandale*. They were all accordingly executed, except *Robert McMillan*, *William Pedin* and *Thomas Lennox*. These three together with *John Lindsay* formerly respited, got off, either on account of their making some partial compliances, or perhaps the reason was, the King's letter formerly mentioned, wherein he declared *he would have no more lives taken*.

They all died with Christian resolution and courage. *Their be- haviour.* *John Wo- drow.* *John Wodrow* merchant in *Glasgow*, in his testimony and letter to his wife, was observed to exceed one of his education and circumstances. The reader will find both in *Naphtali*; he concludes his letter to his wife in these words. “ And now I give you, and my four children “ unto the Lord, and commit you to him as your co- “ venanted God and husband, and my children's co- “ venanted father. I say no more, but either study to “ to be indeed a sincere Christian, and a seeker of his “ face in sincerity, or else you will be nothing at all. “ I recommend you and your young ones to him, who “ is God all-sufficient, and aboundeth in mercy and love “ to them, that love him and keep his *Covenant*. The “ blessing of the *Covenant* be upon you, so fare you “ well. So saith your loving and dying husband, &c.”

When *Humphry Colquhoun* died, he spoke not on the scaffold and ladder, like an ordinary townsman, but, like one in the suburbs of heaven, related his Christian experiences, called for his Bible from one of his friends, laid it on his wounded arm, and spoke to the admiration of all that heard him. *John Wilson* began his speech with these remarkable words, “ Good people “ and spectators, I am here condemned to die, upon “ alledged *rebellion* against the King and his authority, “ which God knoweth I never intended. For, in my “ judgment, a man's endeavouring to extirpate per- “ jured *Prelates*, and abjured *Prelacy*, according as he



1666. “ is bound by oath, in a *sworn* COVENANT, may very  
 “ well stand with a man’s loyalty to King and country ;  
 “ for I am sure the King and his subjects may be happy,  
 “ yea, more happy in the *extirpation* of *Prelates* and  
 “ *Prelacy*, than in their standing ; yea, the throne shall  
 “ *never be established in peace*, until that wicked *plant* be  
 “ *plucked up by the roots*, which hath so much wasted  
 “ and made desolate the Lord’s vineyard. For my  
 “ part, I pray that the Lord may BLESS OUR KING  
 “ with blessings from heaven, and make him a friend  
 “ to the interest of Christ, as the best way for the stand-  
 “ ing of his throne to many generations : And I pray  
 “ for all that are in authority under his Majesty, that  
 “ the Lord may not lay to their charge the innocent  
 “ blood of his saints, which they have shed, &c.”  
 There was likewise something very moving and affect-  
 ing in the last testimony of *Ralph Shields* on this occa-  
 sion, in which, he not only declared his respect for *au-*  
*thority*, as the ordinance of God, appointed for the  
 punishment of evil doers, and his sincere wishes for his  
*Majesty’s welfare*, but likewise the encouragement he  
 had, in suffering at this time, for the cause of Christ ;  
 and speaking concerning his native country, for which  
 he could not but have a real affection, he expressed  
 himself thus, “ O that it were the happiness of my na-  
 “ tion of *England*, once to subject themselves to the  
 “ sweet yoke of Christ’s *reformed* government, under  
 “ which this nation of *Scotland* hath enjoyed so much  
 “ of the power and life of the gospel, by a faithful  
 “ ministry according to the COVENANT sworn by them,  
 “ both, &c.”

Ralph  
Shields.

Mr. M’Kail’s sufferings. But as the circumstances of Mr. M’Kail’s sufferings at this time, are very singular, I cannot but let them have a place here, as they are particularly recorded in *Naphtali*, from which I give the following abbreviate.

He is li- censed. Mr. HUGH M’KAIL, having finished his studies at the university of *Edinburgh*, and under the care of his uncle of the same name, was licensed by the Presbytery of *Edinburgh* 1661, being then twenty years of age. He was sometime chaplain to Sir *James Stewart* of *Kirkfield* (page 147.) All his publick performances met with  
 universal

universal acceptance. But on the 1st of *September 1662, 1666.* he preached his last publick sermon in the great Church of *Edinburgh*, from *Song i. 7.* in which, speaking of the many and great persecutions, that had befallen the Church, he said, among other things, *that the Church and people of God had been persecuted, both by a Pharaoh upon the throne, a Haman in the state, and a Judas in the Church.* And though he made no application, yet the cases of *Haman* and *Judas* appeared, in the conviction of his adversaries, to have such a resemblance to the condition of the rulers of the State and Church at that time, particularly *Lauderdale* and *Sharp*, that a few days after, a party of horse was sent to apprehend him, but he happily escaped, and retired to his father's house, and soon after went abroad, and accomplished himself in his studies for a few years.

*His last publick sermon.*

*Goes a-broad.*

When he came home, he was the more qualified to be the object of the *Prelates* spite and malice. At last he occasionally joined those who rose in arms in *Gal-loway*, and continued among them a little time, till *Tuesday* the 27th of *November*, when, not being able to endure the fatigues of constant marching, he left them near the new bridge upon *Crammond* water, and was taken by some countrymen, as he passed through a place called *Bread's Craigs*.

*Joins the people in the west.*

*Is taken.*

When he was brought to *Edinburgh*, he was carried first to the Council-house, and, after being searched for letters, and none being found, was committed to the Tolbooth.

*Imprisoned.*

Next day, by order of Council, he was examined before the Earl of *Dumfries*, Lord *Sinclair*, Sir *Robert Murray* of *Priestfield*, and others; but he waved the question, and refused to sign any thing that they had wrote, because he conceived, he was not obliged to be his own accuser. On the 29th, he gave in a declaration under his own hand, testifying, that he had been with the *westland* forces, with whom he occasionally met, and that he resolved to have withdrawn from them, upon the first opportunity, which he was about to do, when he was taken, without either offering to flee or resist, which he desired the Council the rather to believe,

*Examined.*

1666. lieve, because he had told so much to *William Lawrie* of *Blackwood*; but though *Blackwood* owned this to be a truth, yet the Council, suspecting Mr. *M'Kail* to have been a contriver of the insurrection, and privy to all their designs, importuned him to be ingenuous, and to declare, who were the ringleaders of the late rising, and what correspondence they had either at home and abroad. And in order to extort such a confession, on *Monday* the 3d of *December* the boots were laid before him on the Council-table, and they gave him to know, that, if he did not confess, he should be tortured with them to morrow.

*Tortured.*

Accordingly, on *Tuesday December* the 4th he was again brought before the Council, and after the torture of *John Neilson* of *Corsack*, of which we have heard, he was again examined by the Earl of *Rothes*, the Marquis of *Montrose* and several others; and being urged to confess, he solemnly declared, that he knew no more than he had already confessed; whereupon they ordered the executioner to put his leg into the boot, and proceed to the torture. He received ten or eleven strokes with considerable intervals, to the extraordinary compression of both flesh, sinews and bones, all which he endured with a most *christian* patience. Before he got the last three strokes, he protested solemnly in the sight of God, that he could say no more, though all the joints of his body were in as great torture as that poor leg.

*Received  
his indictment.*

On the 10th of *December*, he and other seven received their indictments of treason, and were summoned to appear before the Justices on the 12th. But his torture and close imprisonment having thrown him into a fever, he was not able to make his appearance, and therefore on *December* the 11th, he gave in a petition to the Lords of Council, begging a respite, since he was neither able to walk nor stand, and seeing his accession to the crimes with which he was charged, was so very slender, being only simple presence, and that too but *occasional*, which was mitigated by his purposed, and actual coming off from them. Together with his petition, there was presented an attestation under the hands of seven surgeons,



surgeons, declaring his weak and sickly condition. 1666. Whereupon the Council ordered two physicians and two surgeons, viz. Sir Robert Cunningham, Doctor Hay, James Borthwick and Thomas Kinkead to visit him, and return their attestation, upon soul and conscience, to the Justices by 10 o'clock next day. They were also to give in their attestation concerning other three indicted with him.

But as their attestation did not bear *soul and conscience*, and the physicians refusing to rectify it in these terms, tho' they declared, they could confirm the truth of it by their oath, the Justices postponed their proceedings against Mr. M'Kail and the other two, but appointed John Neilson of Corrack, though also contained in the attestation, with other four to be brought to the bar, when they were condemned to be hanged on the Friday following. (page 223.)

Mr. M'Kail was brought before the Justices on the 18th, with the other three, who were arraigned with him; and being permitted to speak after the indictment was read, he declared, among other things, that he was not ashamed to avow, that he was one of that afflicted and persecuted party and persuasion called *Presbyterian*. Then he spoke of the ties and engagements, that were upon the land to God; and having commended the institution, dignity and blessing of *Presbyterian* government, he said, that the last words of the *National Covenant*, had always great weight upon his spirit. Whereupon the King's Advocate interrupted him, and desired, he would forbear that discourse, since he was not called in question for his persuasion, but for the crime of *Rebellion*, in rising in arms against his Majesty's authority. To this Mr. M'Kail replied, that he was moved to speak in the manner he had done, from that weighty and important saying of our Lord Jesus: *Whosoever shall confess me before men, him shall the Son of man confess before the angels of God; but he that denieth me and my words before men, shall be denied before the angels of God.* As for *Rebellion*, he said his accession was only simple presence with a sword, and that *occasional*. The Advocate replied, that not only presence, such

1666. such as he was charged with, was treasonable, but all *intercommuning* or keeping company with *Rebels*, though for half an hour only.

Sentenced  
to die.

Though they could prove no more against him, than what he had owned, yet the jury brought him in guilty : and he was condemned to be hanged at the market-cross of *Edinburgh*, *December* the 22, with several others (page 227.) When he received his sentence, he chearfully said, *The Lord giveth life, and the Lord taketh, blessed be the name of the Lord.* And as he was carried back to the Tolbooth, he said to the lamenting people, *Though men cut us off, God will receive us ; trust in God, trust in God.*

His beha-  
viour in  
prison.

Being returned to prison, he immediately spent some time in prayer, for himself and those condemned with him, with great fervency and enlargement. Being afterwards asked, how his leg was that had been tortured ? he answered, with chearfulness, *the fear of my neck now maketh me forget my leg.* After that, he said to another friend, *O how good news, to be within four days journey, to enjoy the sight of Jesus Christ ;* and protested he was not so cumbred how to die, as he had been sometimes to preach a sermon. His father got liberty to see him : and their first meeting was very moving and affecting.

His peti-  
tion to the  
Council.

On the 20th of *December*, to satisfy the importunity of his friends, he gave in to the Privy-Council the following petition.

“ That whereas, upon *Tuesday* last, I was indicted  
“ and condemned for the treasonable deeds contained  
“ in the general and special indictment exhibited a-  
“ gainst me ; in the which special indictment, containing  
“ my whole accession to the said crimes, there is only li-  
“ belled presence in several places, with an ordinary  
“ sword, like as my own confession, which is the naked  
“ truth, doth declare, how the same was occasional ;  
“ and seeing, that it was also in some sort purged and  
“ retracted, by my withdrawing and deserting with the  
“ first conveniency, whereby not only my case appears to  
“ be different from that of others, but also as favourable  
“ as possibly can be, next to innocency itself, as appear-  
“ ed to many of those Gentlemen, who were upon my  
“ † affize. And seeing the torture I sustained, and the  
“ ingenuity

† Jury.

1666.

“ ingenuity I then used, as in the sight of God, to the  
 “ utmost of my knowledge, deserve that favour, that  
 “ was at that time insinuated : and that it is expected,  
 “ that his Majesty, *whose mercy I beg*, according to his  
 “ great clemency, and the most usual practice in the  
 “ like cases, will interpose his mercy for the rescue of  
 “ many, who are equally with me involved. May it  
 “ therefore please your Lordships, graciously to con-  
 “ sider the premises, *and to pardon my great rashness and*  
 “ *and precipitancy*, and therefore to indulge such a  
 “ † reprimand as your Lordships shall think convenient, † *Reprieve;*  
 “ until his Majesty’s gracious pleasure aient the pre-  
 “ mises shall be fully known, at least tell the Commis-  
 “ sioner’s Grace do return. And your, &c.”

N. B. The words in *italic* characters were inserted, when the petition was transcribed by his friends without his knowledge : however, the petition was rejected, and all the interest that was made was to no effect.

The last night of his life being *Friday, December* the 21<sup>st</sup>, he proposed and answered some questions. As,  
 I. “ How should he, going from the Tolbooth, thro’  
 “ a multitude of gazing people and guards of soldiers,  
 “ to a scaffold and gibbet, overcome the impression of  
 “ all these?” To which he answered; 1. “ By con-  
 “ ceiving a deeper impression of a multitude of angels,  
 “ who are also onlookers ; according to that, *we are*  
 “ *a gazing-stock to the world, angels and men* ; for the  
 “ angels, rejoicing at our good confession, are present to  
 “ convey and carry our souls, as the soul of *Lazarus* into  
 “ *Abraham’s bosom* ; *not to receive them*, for that is Jesus  
 “ Christ’s work alone, who will welcome them to hea-  
 “ ven himself, with the songs of angels and blessed  
 “ spirits. But the angels are ministring spirits, always  
 “ ready to serve and strengthen all dying believers.  
 “ 2.<sup>d</sup> As *Stephen* saw the heavens opened, and Jesus stand-  
 “ ing at the right-hand of God, who then said, *Lord*  
 “ *Jesus receive my spirit*, so, *said he*, do I believe that  
 “ Jesus Christ is also ready to receive his dying suf-  
 “ ferers.” II. He enquired, “ what is the way for  
 “ us to conceive of heaven, who are hastening to it,  
 “ since the word says, *eye hath not seen nor ear heard,*



1666. " &c.?" To this he answered, " the scripture helps us  
 " these two ways. 1. By way of similitude, as *Rev.*  
 " *xxi.* when heaven is held forth by a representation of  
 " a glorious city there described; but in the same  
 " place, it is also termed the bride; but O how unlike  
 " are these two, a bride and a city? which shews the  
 " insufficiency, and vast disproportion of all such simili-  
 " tudes;" and therefore he added, " 2. That the  
 " scripture furnisheth yet a more excellent way to con-  
 " ceive of heaven, *viz.* by conceiving the love of Christ  
 " to us, even the breadth and length, the depth, height  
 " and immenseness of that love of Christ, which pass-  
 " eth knowledge, and which is also the highest and  
 " sweetest motive of praise, *unto him that loved us, &c.*  
 " and by holding forth the love of the saints to Christ,  
 " and teaching us to love him in sincerity, which is  
 " the very joy and exultation of heaven, *Rev. v. 12.*  
 " *Worthy is the Lamb, that was slain, to receive power,*  
 " *and riches, and wisdom, and strength, and honour, and*  
 " *glory, and blessing.* And no other thing but the soul  
 " breathing forth love to Jesus Christ, can rightly ap-  
 " prehend the joys of heaven."

He went to bed a little after eleven, and, rising about  
 five in the morning, he called his companion *John Wo-*  
*drow*, said pleasantly, *Up John, you are too long in bed,*  
*you and I look not like men going this day to be hanged,*  
*since we lie so long.* He spent his time most comfor-  
 tably in prayer and edifying discourse. His father com-  
 ing to him that morning, his last words, after prayer and  
 a little talk, were, that " his sufferings would do more  
 " hurt to the *Prelates*, and would be more edifying to  
 " God's people, then if he were to continue in the mi-  
 " nistry for 20 years." And then he desired his fa-  
 ther to leave him, else he would trouble him, and, said  
 he, *I desire it of you, as the best and last service, to go to*  
*your chamber and pray earnestly to the Lord to be with me*  
*on that scaffold: for how to carry there is my care, even*  
*that I may be strengthened to endure to the end.*

His beha-  
 viour at  
 his execu-  
 tion.

About two o'clock, he and his five fellow sufferers  
 were carried to the scaffold; his countenance was most  
 pleasant and serene. When at the foot of the ladder,  
 he

he directed his speech northward to the multitude, who heard him with great attention. His speech is printed in *Naphtali*, in which, among other things, he said, that he heartily acknowledged his fainting in the day of trial, and in endeavouring to vindicate himself for joining with *those* who rose in arms in *their own defence*; and further expressed himself, “ Although I be judged  
 “ and condemned as a *Rebel* amongst men, yet I hope,  
 “ even in order to this action, to be accepted as loyal  
 “ before God. Nay, there can be no greater act of  
 “ loyalty to the King, as the times now go, than for  
 “ every man to do his utmost, for the extirpation of  
 “ that abominable plant *Prelacy*, which is the bane of  
 “ the throne and of the country, which, if it be not  
 “ done, the throne shall never be established in righteousness, until *these* wicked be removed from before  
 “ it. Sure I am, these, who are now condemned as  
 “ rebels against him, by *them*, are such as have spent  
 “ much time in prayer for him, and do more sincerely  
 “ with his standing, and have endeavoured it more  
 “ by *this late action*, so much condemned, than the  
 “ *Prelates* by condemning them to death.

Having done speaking to the people, he sung a part of *Psal.* xxxi. and then prayed with such power and fervency, as drew tears from many. When taking hold of the ladder to go up, he said with a loud voice, *I care no more to go up this ladder and over it, than if I were going home to my father's house.* And hearing a noise among the people, as he was going up, he called down to his fellow-sufferers, saying, *Friends and fellow-sufferers, every step of this ladder is a degree nearer heaven.* Then, having seated himself upon it, he said, *I do partly believe, that the Nobles, Counsellors and Rulers of the land, would have used some mitigation of this punishment, had they not been instigated by the Prelates, so our blood lies principally at the Prelates door. But this is my comfort now, that I know my Redeemer liveth, and that he shall stand at, &c. And now I willingly lay down my life for the truth and cause of God, the COVENANTS and work of reformation, which were once counted the glory of this nation; and it was for endeavouring to defend this,*

1666. *and to extirpate that bitter root of Prelacy, that I embrace this rope* (the executioner putting the rope about his neck.) Then hearing the people weep, he said, *your work is not to weep, but to pray, that we may be honourably born through, and blessed be the Lord that supports me.*——“ And that you may know the ground of my  
 “ encouragement in this work, and what my hope  
 “ is, I will read the last chapter of the bible,” which having done, he said, “ here you see the glory that is  
 “ to be revealed upon me; a pure river of water of  
 “ life, &c. where the throne of God is and the lamb is  
 “ in it, where his servants serve him, and see his face,  
 “ and his name is in their foreheads, and the Lord God  
 “ giveth them light, and they shall reign for ever and  
 “ ever; and here you see my access to my glory and  
 “ reward. *Let him that is athirst come, and whosoever*  
 “ *will let him take of the water of life freely.* And here  
 “ you see also my welcome, *the spirit and the bride say*  
 “ *come.*” Then he said, “ I have one word more to say  
 “ to my friends, *looking down to the scaffold,* where are  
 “ you? You need neither lament me, nor be ashamed  
 “ of me in this condition; for I may make use of that  
 “ expression of Christ’s; *I go to your father and my fa-*  
 “ *ther, to your God and my God, to your King and my*  
 “ *King; to the blessed Apostles and Martyrs, and to*  
 “ *the city of the living God, the heavenly Jerusalem,*  
 “ *to an innumerable company of Angels, to the gene-*  
 “ *ral Assembly and Church of the first born, and to*  
 “ *God the judge of all, and to the spirits of just men*  
 “ *made perfect, and to Jesus the Mediator of the new*  
 “ *Covenant.* And so I bid you all FAREWELL, for  
 “ God will be more comfortable to you than I could be,  
 “ and he will also now be more refreshing to me than  
 “ you can be: FAREWELL, FAREWELL in the Lord.”  
 Then the napkin being put over his face, he prayed a  
 little within himself; after which he put up the cloath,  
 saying, he had one word more to say, in order to shew  
 them the comfort he had in his death. And thus he  
 said, “ I hope you perceived no alteration or discouragement  
 “ in my countenance and carriage; and as it may  
 “ be your wonder, so I profess it is a wonder to my-  
 self;



“ self; but I will tell you the reason of it. Besides the  
 “ justness of my cause, this is my comfort, which was  
 “ said of *Lazarus*, when he died, that the Angels did  
 “ carry his soul into *Abraham’s* bosom; so that, as  
 “ there is a great solemnity here, of a confluence of  
 “ people, a scaffold, a gallows, and people looking  
 “ out at windows; so there is a greater and more so-  
 “ lemn preparation in heaven of Angels to carry my  
 “ soul to Christ’s bosom.” And after speaking a little  
 to the same purpose, he concludes thus: “ And now I  
 “ leave off to speak any more to creatures, and turn  
 “ my speech to thee, O Lord! And now I begin my  
 “ intercourse with God, which shall never be broken  
 “ off. *Farewel* father and mother, friends and relations;  
 “ *farewel* the world and all delights; *farewel* meat and  
 “ drink; *farewel* sun, moon and stars: WELCOME  
 “ God and Father; WELCOME sweet JESUS the me-  
 “ diator of the new Covenant; WELCOME blessed spi-  
 “ rit of grace and God of all consolation; WELCOME  
 “ glory, WELCOME eternal life, WELCOME death.”  
 Then he desired the executioner not to turn him over,  
 till he should put his own shoulders over first, which,  
 within a little, he did, saying, “ O Lord, into thy hands  
 “ I commit my spirit; for thou hast redeemed my soul,  
 “ Lord God of truth.”

1666.

*History of the Stu-  
 arts,  
 P. 541.*

I cannot but here insert a paragraph of an *English* historian, in which he says, were the *complete historians* sensible of the *pathetick* and *sublime* in eloquence, they would own there is nothing like it (*viz.* the last words of this martyr from *farewel, &c.*) in whatever they have seen of antiquity; and it being a suffering Minister’s dying words, adds a truth to the beauty, which cannot be met with in profane learning. This, adds he, is one of the *covenant-martyrs*, which the *Scots* curates gave over to damnation. Tho’ I doubt not every good christian, after reading the divine exultation of Mr. *M<sup>c</sup>Kail*, will be ready to say to them, Be my portion with this good man, and take ye your lot with one another.

Thus died Mr. *Hugh M<sup>c</sup>Kail*, a youth of about 26 years of age, singularly pious, and of no small share of learning. He had seen the world. Never was a death more

*His cha-  
 racter.*

1666. more lamented; for, among all the spectators, there was scarcely an eye that did not run down with tears. It is said, that he used to fast one day in the week, and had frequently, before this, signified, to his friends, the impressions he had, of his dying in this manner. His share in the rising was known to be small. And when he spoke of his comfort and joy in death, heavy were the groans of those who were present.

*The Commissioner's progress.*

Lord *Rathes* the Commissioner, being come from court, resolved upon a progress thro' the west and south, that he might come at the bottom of some imaginary conspiracy and plot; but no discoveries could be made. He came first to *Glasgow*, and from thence to the town of *Air*, with a committee of Noblemen and others, who were vested with † a justiciary power.

† of judging all crimes. Twelve men condemned.

Accordingly the Earl of *Kelly*, Lieutenant-General *Drummond*, *Charles Maitland* of *Haltoun*, *James Creighton*, brother to the Earl of *Dumfries*, sat down in judgment at *Air* on the 24th of *December*, two days after the execution of *Mr. McKail*. Twelve more of the prisoners were brought before them, who were found guilty of treason, and ordered to be executed at *Air*, *Irvine* and *Dumfries*.

Seven brought at *Air*.

*Thursday* 27th of *December* was appointed for the execution of *James Smith*, *Alexander McMillan*, *James McMillan*, *George McCarney*, *John Short*, *John Graham*, *John Muirhead*, and *Cornelius Anderson*, at the town of *Air*. But the executioner being unwilling to embrace his hands in the blood of these men, got out of the way. And the Provost, not being able to find one that would undertake the hateful work, proposed that one of the eight should have his life, on condition of executing the other seven. Accordingly in the morning the Magistrates went to prison and laid the proposal before the prisoners; upon which *Cornelius Anderson* said, if the rest would forgive him, he would do it. They answered, if he did it, they should wish him repentance and forgiveness. He was kept intoxicate till the execution was over. When he came off the gibbet, the boys and others stoned him out of the town. His conscience after this troubled him, every one shunned him.

*P. Walker* of *Semple* p. 133.

At

At last he retired to *Ireland*, where he built a little house in some common place, near *Dublin*, and where his house and he were burnt to ashes. 1666.

*James Blackwood* and *John McCoul* were hanged at *Irvine* on the 31st of *December*. Some of these sufferers were but ignorant, and very much discouraged at the near views of eternity; but by the pains taken by the Minister *Mr. Nesbit*, who visited them, they died full of joy and courage, to the admiration of all who were present. *John Grier* and *William Welsh*, the remaining pair of those condemned at *Air* were executed at *Dumfries* on *Wednesday* the 2d of *January* 1667. And thus from the 7th of *December* to the 2d of *January* were no less than 34 executed out of 40; and one was forced to purchase his life, by being executioner to several, who were condemned with him.

But the steadiness of *William Sutherland*, executioner at *Irvine*, is too remarkable, not to be recorded in this history; for when the executioner at *Air* deserted, nothing could prevail with him to supply his place.

He came of poor parents in *Strathnaver*, the wildest part of the north *Highlands*, and had no education, till after he came to be executioner at *Irvine*; and then with difficulty he learned to read *English*, and took great delight in his bible; and the more he became acquainted with it, the more he began to scruple to execute any persons, unless he was clear they deserved to die. When he was press'd to go to *Air*, his scruples encreased, because he had heard the prisoners were godly men, persecuted by the BISHOPS, whom, says he, *I never liked, since I loved my Bible*. These words, *Heb. iv. 12.* made great impression upon him, so that he was resolved not to have a hand in that execution.

He was brought from the church before the Provost of *Irvine*, and, refusing to go to *Air*, was put in prison till *Monday* night, when a sergeant with six soldiers came from thence to fetch him; but still persisting in his refusal, he was remanded to prison till next morning, when they forced him to go. And being then brought before the Provost of *Air*, he continued resolute to have no hand in executing the prisoners, notwithstanding all the

Four at  
*Irvine* and  
*Dumfries*.

*Behari*  
our of the  
hangmen  
at *Irvine*.  
See his  
own decla-  
ration.  
*Wedrow*.  
*V. I. B. 2.*  
*N. 2.*

forced to  
*Air*.



1666. the promises that were made him; so that he was committed again to prison.

*Baffles the Curate.*

Upon this, one Mr. *White* a Curate came to persuade him to do his office, saying, Don't you know that these men are guilty of *rebellion*? And that rebellion is as *the sin of witchcraft*? To which he answered, that the rebellion spoke of *there* was *Saul's* rebellion against the immediate command and revealed will of God. In short, he so baffled the Curate, that, instead of answering him, he said, away with thee, *the devil's in thee*, and thou hast dealing with familiar spirits. To which *William* replied, if the devil be in me, he is an *unnatural devil*; for if he was like the rest of the devils, he would bid me take as many lives as I could, that he might get many souls; but the spirit, that is in me, will not suffer me *to take good mens lives*.

*His conduct before Lord Kelly, &c.*

He was next brought before the Lord *Kelly*, the Provost and others, and after they had threatned and ridiculed him, the *boots* were called for; then he said, *you may bring the boots and spurs too, you shall not prevail*. They therefore threatned to pour a cruse full of melted lead upon his hands; but when they saw, how ready he was to receive it, they were astonished. Then Lord *Kelly* tried what *wheeling* might do, but all proved ineffectual; and observing, what pertinent answers he gave, the Lieutenant-General said, tell me quickly, who learn'd you these answers; I perceive you have got a paper from some of these *rebellious* Ministers, and have

† *exactly*. got your answers † perquire. *William* said, “not so  
“ my Lord, but God, that said, fear not, when ye  
“ shall be brought before Kings and Rulers for my sake,  
“ it shall be given you in that hour, what you shall say.  
“ I will give thee a mouth and wisdom that thine adversaries shall not be able to answer: He makes his  
“ promise good to me.” Then several gentleman said,  
*away with him, the devil is in him, he has dealing with familiar spirits*. To this he spoke as to the Curate. Then the Lieutenant-General said, tell me quickly, who put these words in your mouth, else you shall be hang'd. To which he replied, “*Even he who made Balaam's*  
“ *ass to speak and reprove the madness of the prophet, and*  
“ *marvel*.”

“ marvel not ; for he that could make a dumb ass to  
 “ speak, can much more make me a reasonable creature to  
 “ speak. It is he that gave me these answers, and like-  
 “ wise forbids me to do this, it is he and no other.”  
 Then Lord *Kelly* said, he thinks no better sport, than  
 to bring scripture to confound us with it, but you shall  
 † rue it, when you are going to be hanged. To this he † Repent!  
 answered, if this confound you, you shall be better con-  
 founded yet ; read ye never that Chapter 1 Cor. i. 26.  
*How that not many wise men after the flesh, not many*  
*mighty, not many noble are called ; but God hath chosen the*  
*foolish things of the world to confound the things that are*  
*mighty, &c.* Then said *Kelly*, take the devil out of my  
 sight, and put him in the narrowest place in the stocks.  
 At the same time, the Provost whispered him in the ear,  
 and offered to give him 50 dollars, and suffer him after-  
 wards to return to the *Highlands*. But the honest man  
 answer’d with a loud voice, “ what, would you have  
 “ me sell my conscience? Where can I flee from God?  
 “ Remember, *Jonas* fled from God, but the Lord  
 “ found him out and † ducked him over the lugs ; so † Plunged  
 “ shall he me if I go over the light of my conscience.” him over  
 the ears.  
 He was put therefore in the stocks. Then four sol- Put in the  
 diers were sent, and having charged their pieces, brought stocks.  
 a cap to cover his face, and threatned to shoot him ;  
 but finding him so undaunted as to open his breast to  
 receive their fire, one of them said he shall not be shot,  
 but be hanged and given to the dogs. While he was in  
 the stocks, where he suffered much, some asked him  
 what he thought of the Bishops? His answer was, “ I His  
 “ truly think, the Bishops take more on them than thoughts of  
 “ Christ did, who was a better preacher than any of the Bishops  
 “ them ; for he would not meddle with the dividing  
 “ the inheritance among the brethren.—He being a  
 “ spiritual teacher refused to meddle with *civil law*. But  
 “ why will our Bishops sit in Parliament and go in  
 “ before Earls? I am informed they sit and ride in  
 “ Parliament, and judge in worldly affairs ; they  
 “ have their coaches to ride in, but neither Christ  
 “ nor his Apostles had them ; they are Lords over  
 “ God’s heritage, but our Saviour says to his Mini-  
 VOL. I. I i “ stea,

1666. “sters, the Princes of the Gentiles exercise dominion, but  
 “it shall not be so among you, but he that will be greatest  
 “shall be servant of all. The Bishops are like the  
 “Scribes and Pharisees, against whom the Lord pro-  
 “nounced many a wo. *Wo be to you Scribes and Pha-  
 “risees, ye love the chief seats in the synagogues, so love  
 “our Bishops the chief seats in Parliament. — Wo be  
 “to you Scribes and Pharisees, for ye love to wear long  
 “robes, and to be called of men Rabbi :* The Bishops de-  
 † Long. “fire † side gowns, and a man to bear up their tails  
 “too, and they think they never get their right stile,  
 “till they be called *my Lord*, and some of them *your  
 “Grace*: you give grace to a graceful face: They op-  
 “press the poor people to feed their own bellies; for  
 “which the Lord pronounces many a wo against them.”  
 Then said they, *Timothy and Titus* were Bishops. To  
 which he replied, they were *preaching* Bishops, but not  
 Bishops over whole dioceses. And as the Apostle says,  
 1 Tim. iii. *A Bishop should be blameless, the husband of  
 one wife*, so I think a preaching Bishop should have  
 but one flock, &c.

His  
 thoughts of  
 the King. Then they asked, what he thought of the KING?  
 He said, would you have me speak *treason*? The KING  
 is set over us all by God, and all his subjects should  
 pray for him, and defend his person and government,  
 and obey him in all things *according to the word of God*.  
 But I wish his Majesty and all Kings may take good  
 heed to the Law of the Lord, &c.

Still re-  
 solute. After a good deal of conversation to this purpose, he  
 was next threatned to be rolled up and down in a  
 barrel filled with iron pikes; but he was, in nothing,  
 terrified by his adversaries, but continued still resolute,  
 till, at last, they thought proper to let him go.

Set at li-  
 berty. Whereupon, Lord *Eglinton* sent for him, examined  
 him as to the premises, and said, poor man, you did  
 well, in not doing what they would have had you.  
 To this he replied, “my Lord, you are speaking *trea-  
 “son*; you say, I have done well, whereas you per-  
 “secute *them* from the first to the last; this tells me,  
 “in my experience, that you go against the light of  
 “your conscience. *Wo will be to you, that go against*  
 “the



“ the light of your conscience.” *Eglinton* said, know you not, that I have kept you from being hanged, and are you telling me that? *William* replied, *keep me from drowning too, I will tell you the † verity.* Thus they made † *Truth.* this poor man feel the fear of death, though he escaped the pain of it.

And thus I have given as particular an account of *this* rising, and of the executions that followed upon it, as this history will admitt of.

It is not to be expected that I should offer a full vindication of this rising, and of those worthy and excellent persons, who suffered on account of it, that having been frequently done by others, (See *Jus populi vindicatum*, and *the Hind let loose*, &c.) and as I shall afterwards have an opportunity to shew how far defensive arms are to be justified. It is therefore sufficient to observe, 1. That this attempt was no premeditated thing, but entirely accidental, occasioned by the violent oppressions of the country by the merciless soldiers. 2. Upon their first attempt, they knew they had nothing to expect, but all the cruelties their persecutors could inflict upon them; and therefore, the law of self-preservation required them, to take the best measures they could, for their own security and defence, all application to the King being discharged by the laws then in being. 3. It is plain, they had no designs against his Majesty's person or government, all they wanted was the redress of their grievances, the enjoyment of their liberties, and the free exercise of their religion, as is evident from their treatment of Sir *James Turner*, when in their power, from their readily agreeing to a suspension of arms, and their having, in part, proposed their grievances, and sent them to the Council. 4. When, in some respects, they were underterms of accommodation, they were suddenly attacked, and obliged to resist force by force, when no indemnity was allowed them, and when taken at the engagement, they got quarters and a promise of life; so that it was contrary to all rules, to be treated as they were, after quarters given and taken; besides, several, who were executed, were not in the action, had not born arms, but were only in company

*Remarks.*

1666. with the rest when going through the country, and some of them were put to death, merely to gratify *Sharp's* revenge, contrary to the King's express orders, that *no more lives should be taken*. 5. All of them owned the King's authority; so that, if matters be truly considered, they suffered, not so much for their rising in arms, as for their not renouncing their sworn *Covenant*, and for refusing to take the *Declaration*; and therefore it is surprizing, how Sir *George M'Kenzie* could say in his vindication, page 8, that generally, no man was executed in this reign, who would say *God bleſs the King*; for it is well known, that none of these persons, who suffered at this time, had their life offered to them on that condition. The persecutors, saith the author of *the Memoirs of the Church of Scotland*, for such, this very thing will prove them to be, as if they were fond of having it said, that these men died *for religion*, and not for being in arms, ordered several of them to be offered their lives, if they would take and subscribe the *DECLARATION to renounce the COVENANT*. Whether they did this fraudulently or sincerely, Providence never gave them an opportunity to discover; nor whether, if the weakness of any had brought them to yield, they would have performed their promise to them; for not a man, they ever offered it to (I mean of those condemned to die for the rebellion at *Pentland*) but refused it with indignation, and chuse to die rather than to yield to that *unconſcionable propoſal*. So, in that point, they gained an *undeniable testimony*, that they suffered for religion, *not accepting deliverance*; for none of them esteemed renouncing the *COVENANT*, to be any thing more, or less, than renouncing *GOD* and his *CHURCH*, to whom, and for which that *COVENANT* was first entered and engaged in. 6. The very same reasons, which vindicate the glorious *REVOLUTION*, are in favour of those, who rose at this time; and had their measures been as well concerted, and their success been as great, as their cause was just, nothing could have been said against them. But though the attempt of these worthy men was not so successful as *that*

of

of the *revolution*, all that can be said is, that God's time was not yet come, for rescuing a bleeding nation. 1666.

7. These valuable persons were fairly vindicated, when ever the nation recovered its senses, by the *Revolution* Parliament, in the act July 4. 1690, by which the forfeited persons were restored not *ex gratiâ*, but *ex justitiâ*, and all decreets and sentences passed against them, by any judges, were declared void and null from the beginning. And thus I have given a pretty full account of this matter, which had no small influence upon the interest of *Episcopacy* in *Scotland*; for after this multitude of executions, *Prelacy* gradually and sensibly decayed, till the *Prelates*, the *chief instruments* of cruelty, were, at last, laid aside as a *publick nuisance*. But the chearful and stedfast behaviour of the sufferers strengthened the interest of the *Presbyterians*, concerning whom it might be said, *the more they were oppressed, the more they grew*. People began more generally to leave the Churches, and the ejected Ministers ventured to preach a little more publickly, particularly the Reverend Mr. *John Welsh*, whose labours were blessed with eminent success; multitudes resorted to hear them, and the poor honest people, by way of ridicule, were called *Whigs*, from a kind of milk they were forced to drink in their wandrings. Bishop *Burnet* gives another original of this name; he says, that in the south-west countries of *Scotland*, there is scarce corn enough to serve out the year, and therefore people repair to *Leith* to buy of the stores that come from the north. And from a word *Whiggam* used in driving their horses, all that drove were called *Whiggamors*, and shorter the *Whigs*, which afterwards became the name of all the patrons of liberty.



## C H A P. VIII.

*Of the cruelties of Dalziel, &c. The forfeitures of Gentlemen, &c. The disbanding of the army and the Bond of Peace. Of Mr. Mitchel's attempt on Archbishop Sharp, the proceedings of Parliament, the first INDULGENCE, and other things, to the end of the year 1669.*

1667. **S** O O N after the victory at *Pentland*, *Dalziel*, with a considerable number of troops, marched to the west, took up his head quarters in the town of *Kilmarnock*; and grievously oppressed the country. From that country place and the neighbourhood, was extorted upwards of the value of fifty thousand merks. All whom *Dalziel* suspected were brought before him, and if they were not guilty, were sure to be made so. He passed what sentence he pleased, and tortured whom he had a mind. Many, upon mere suspicion of being at *Pentland*, were put into the *thieves hole* at *Kilmarnock*, where they were obliged to stand continually on their feet, night and day. And one of them, falling dangerously sick, was not suffered to go out, till two persons became bail to return him either dead or alive. The poor man dying, the sureties were forced to bring the corps to the prison door, where it lay some time, till the General thought fit to order it to be interred.

David  
Finlay  
feet.

When one *David Finlay*, of the parish of *Newmills*, was brought before the General, and examined, he acknowledged, that he was, by accident, at *Lanerk*, when Col. *Wallace* and his men came that way, but did not join them; but because he would not tell whom he saw there, *Dalziel* ordered him to be shot to death, stript naked, and left on the place, though he was no soldier, nor under his command; and tho' the poor man begged but one night's time to prepare for eternity, it was absolutely refused him.

Another

Another instance of cruelty was acted on a poor woman in the neighbourhood of *Kilmarnock*. A party of soldiers ordered her to be put into a deep pit under the Dean's house, full of toads and other vile creatures, for no other reason, but because a man, whom they were in pursuit of, had run through her house, and she could not tell them what was become of him. Her shrieks were heard at a great distance; but none durst interceed for her, for fear of being sent to bear her company. Whether she died there, or what came of her, is not known.

1667.

*A woman  
cruelly  
used.*

Sir *Mungo Murray*, who commanded some soldiers under *Dalziel*, having intelligence of two men, who had given a night's lodging to two of the *Pentland* people, ordered them, without any proof, to be bound with cords, and to be hanged up by the thumbs, upon a tree all night; so that, in all probability, they would have died before next day, had not some, even of the soldiers, been so humane, as to cut them down, tho' at the hazard of their own lives. How sad must the case of the country be, when the army was permitted to exercise such cruelties upon poor innocent people! Mean while, the poor *Whigs*, either got abroad, or wandred in dens and caves of the earth, to escape the fury of the times, this being the severest winter of persecution *Scotland* had known for a long time.

*Two men  
hanged by  
the thumbs.*

Much about this time, Sir *William Bannantyne* was sent, with a considerable party, to *Galloway*, where he committed excessive cruelties. They took free quarters wherever they pleased. They came to the house of *Roger Gordon of Holm*, consumed his victual and sheep, though nothing could be laid to his charge. From thence they went to the house of *Earlstoun*, which they made a garrison, and from whence they sent parties through the parish and round the neighbourhood. And because one *David M'Gill* had, by his wife's means, escaped in woman's cloaths, they took the poor woman, bound her, and put lighted matches between her fingers for several hours; the torture made her almost distracted; she lost one of her hands, and died in a few days after. They pillaged the country at their pleasure.

*Sir Will.  
Bannan-  
tyne's  
cruelties.*

Some

1667. Some they brought to their garrisons, though under heavy sickness, stripped them almost naked by the way, and threw them into nasty places, without the least accommodation.

*Fines exacted.*

† *Goods.*

The soldiers exacted many fines in the most arbitrary manner. Thus from two countrymen in the parish of *Dalry*, they raised about 363 pounds *Scots*. In the parish of *Carsphairn*, *Gilbert Monry* in *Marbrack*, without the least alledged fault, had 50 merks imposed upon him; for when he asked the reason of his being fined, *Sir William Bannantyne* replied, *Because you have † gear, and I must have a part of it.* *Alexander Gordon* of *Knockbreck* suffered exceedingly; *John Gordon* in *Carnevel* had his estate worth 16000 merks taken from him, and his brother *Robert* who succeeded him, had his house often spoiled by the soldiers, and was, himself, forced to wander in the mountains. In short, they made all the havock they could; so that the Gentleman was forced to retire to *London*, and, after he returned 1683, was obliged to keep concealed till 1687.

In the parish of *Balmagie*, *Sir William* being in a publick house, and attempting to commit lewdness with the mistress, he struck her husband almost dead for offering to make resistance; and a Gentleman in company seizing *Sir William*, and proving too hard for him, *Bannantyne* called in the soldiers, who took the Gentleman, tied him neck and heel, bound his hands behind his back, and kept him on the ground in that posture all *Saturday* night and part of the *Sabbath*, till his friends came and gave bond for him. The reader must observe this Gentleman was *no Whig*, but had been with the *King's forces* at *Pentland*. *Bannantyne* and his party drank in the house most of the Lord's day, and when they could drink no more, let the liquor run on the ground and rifled the house. In short, his oppressions, rapes, adulteries, murders, &c. were so many, that the Managers themselves were ashamed of him. The reader will find many more instances of this nature in *Naphtali*, Edit. 1. p. 291, &c. to which I must refer him.

These



These hardships from the army continued on the west and south of *Scotland*, till the beginning of *June*, when a squadron of the *Dutch* fleet came into the *Firth*, so that the army was obliged to march into the east country, and guard the coast. 1667.

But many other hardships were put upon good people by others as well as by the army. Many were imprisoned upon mere *suspicion*, as *James Grierson* of *Dalgoner* and *John Hamilton* of *Aldstain* or *Austane*, and one *Carmichael*, though nothing could be proved against any of them. *Other oppressions.*

*John Gordon* of *Largmore* with his brother-in-law *William Gordon* of *Robertoun* being at *Pentland*, *William* was killed, and *John* sorely wounded; so that, through the loss of blood, and lying in the fields some nights after the engagement, he died a few days after he got to his own house, and thereby escaped the fury of the persecutors, who were resolved to carry him to *Edinburgh* in a litter. *Mrs. Mary Gordon* of *Robertoun* was grievously harrassed after the death of her husband and brother, chiefly by the instigation of the *Curate* of the place. We shall find more of the sufferings of this family afterwards. *Gordon of Robertoun.*

The family of *Sundaywell* suffered not a little on this occasion. *James Kirkco* of *Sundaywell* had, during the last six years, gone through a series of oppression, by fining, the quartering of soldiers, and the like. Last *October* he was forced to disperse his family, and wander from place to place, to avoid the depredations and cruelties of the soldiers, which made him suspected to have been at *Pentland*, though that could never be made appear. However he was forced to leave the kingdom for the space of three years, and, after his return, he was harrassed by a process of forfeiture; but a comfortable death put an end to all his sorrows. *Kirkco of Sundaywell.*

*James McClelland*, who succeeded him in the lands of *Sundaywell*, being only suspected, was forced to flee to the mountains, when only sixteen years of age, where he and several others kept concealed from *November*, till the 15th of *February* this year, when he was apprehended by a party of *Sir William Bannantyne's* men, and

1667. brought to their garrison at *Earlstoun*, and was put in a vault with other prisoners. Sir *William* most cruelly tortured him with fiery matches between his fingers, to force him to confess what he was entirely ignorant of. In short, he was carried prisoner from place to place, and, at last, to *Edinburgh*; And being examined before the Council in *September*, he with fifteen others were banished to the plantations, because he refused the *Declaration*. But he happily broke prison and escaped. It would be endless to account for the particular sufferings of every individual. This Gentleman was harraſſed by proceſſes, fines, imprisonments and other oppressions, for many years. But that, which went nearest to his heart of all, was his sinful compliance in taking the TEST.

James  
Callane.

*James Callane* merchant in *Dumfries* was forfeited, sometime after *Pentland*, though it could never be proved, that he was there; he sustained great losses by his parliament fine, and other exactions by Sir *James Turner*. Upon his being declared rebel, he left the kingdom and lived seven years in the *East Indies*. At his return, he was taken by *Claverhouse*, and imprisoned at *Dumfries* fourteen months, and at *Edinburgh* a year and a half, and then banished to *Carolina*, where he died. After his death, his wife and daughters, for their non-conformity, were deprived of their goods, and forced to wander up and down in the hills and mountains for three years and a half.

Robert  
Lennox.

*Robert Lennox* of *Plumpton* suffered likewise at this time; for his estate, worth two thousand merks yearly, was taken from him, and he forced to flee into *England*, where he continued as a wanderer for three years. At length he went with his family to *Ireland*, but being instrumental in getting a *Presbyterian* Minister settled at *Glenzie*, he was excommunicated by the Bishop and his Official, fined upwards of 430*l.* sterling, and thereby reduced almost to beggary. At last he ventured to *Scotland*: And though a *Papist* was in possession of his estate, yet he was put in prison, when he produced the charter of his lands: and when he got out, lived upon charity till the *Revolution*. One *Thomas Lennox* of the  
same

same place, met with peculiar hardships, both before and after *Pentland*. By exactions and imprisonments he lost above six hundred and seventy nine pounds, besides a years crop and his household furniture, and that without any process. At one time he was imprisoned at *Edinburgh* thirty three weeks, and at another three months for refusing *the Test*.

1667.  
Thomas  
Lennox.

While these things were thus carried on, a Convention of Estates met at *Edinburgh*, on the 23d of *January*, in which, as *Burnet* relates, the King; by a special letter, appointed Duke *Hamilton* to preside, and in a letter to Lord *Rothes*, ordered him to write to *Sharp* to stay within his diocese, and to come no more to *Edinburgh*. Upon this, the historian says, *Sharp* was struck with so deep a melancholy, that he shewed as great an abjectness under this slight disgrace, as he had shewed insolence before, when he had more favour. The Convention, according to my author, laid on a subsidy for the army, amounting to sixty four thousand pounds a month for a year's time, and in the excess of their loyalty, offered to maintain all the forces the King should be pleased to raise: so that a *blank* was put in his Majesty's hand to raise and keep up as great a standing army as his arbitrary Counsellors should, for their own ends, advise him to.

A Convention of Estates.  
p. 239.

The Bishops and their party used all their interest to keep up the standing army. "Accordingly, when the Convention was over, Lord *Rothes* sent up *Drummond*, as *Burnet* tells us, to represent to the King, the ill affections of the western parts;" for nothing could be more averse to Prelacy than they were. *Drummond* proposed, as an expedient, the pressing of the *Declaration*, and the keeping up of a standing army. *Burnet* says, that "a slight accident happened, that raised a jest, which spoiled his errand. The King flung the cover of the letter from *Scotland* into the fire, which was carried up in a flame, and set the chimney on fire: upon which it was said, that the *Scottish* letter had fired *Whitehall*. And it was answered, the cover had almost set *Whitehall* on fire, but the contents would certainly set *Scotland* all on a flame."

*Drummond goes to court.*  
p. 240.

ibid.



1667. The King was prevailed with by *Lauderdale*, to send his letter to the Council, dated *March* the 12th, in which he impowered them, 1. To tender the Oath of Allegiance and the *Declaration* unto such active and leading persons of the disaffected party, as they should suspect, and to secure the *recusants*. 2. To emit a proclamation, requiring all, within the most disaffected shires, to bring in, by a limited day, all arms and powder, under what penalties the Council should see proper, only allowing Gentlemen to wear their swords. 3. To seize all serviceable horses belonging to disaffected or suspected persons, after being appraised by honest and indifferent persons. 4. To model a militia of horse and foot to join the regular forces, that they might speedily proceed to put the kingdom in a posture of defence. 5. To provide arms and ammunition for the defence of the kingdom. 6. To take effectual course, that every parish secure the persons of their Ministers from violence and affronts. And, 7. To give present orders, for the criminal pursuit of all heritors, or men of estates, all preachers or military officers, who were in the late rebellion, before the Justice General, that they may be tried according to law, and, being found guilty, be forfeited without delay.

The Council's proceedings upon it.

This letter being read in Council on the 20th of *March*, they appointed a warrant for the Advocate to pursue heritors, &c. in terms of the seventh article; and on the 25th two proclamations were published, the one for bringing in of arms from the shires of *Air*, *Lanerk*, *Renfrew* and *Wigtoun*, and stewartry of *Kirkcubright*, against the first day of *May*, and that under very severe penalties. One pretence for this was, to prevent invading Ministers of the gospel, who were lawfully admitted preachers among them. It was added, "that, if any injury or affront was done to their Minister, the parishioners, who shall suffer the same to be done, and not oppose the same, shall be reputed as art and part of the same crime and violence." So that if a Curate's house should be robbed, his parishioners must be charged with the robbery. There were but a few arms brought in, notwithstanding this proclamation.

1667.

By the other proclamation of the same date, all who withdrew from publick ordinances, and did not keep their own parish Churches, were forbid keeping horses above a hundred merks value. Though this gave *some* satisfaction to the *Prelates*, yet it did not fill their Churches. And had this been rigorously executed, the King would have had a good many fine horses from *many of the Managers*, nay, and from *some of the Bishops* themselves, who were not very punctual in their attendance on publick worship.

That same day they answered the King's letter, acquainting him with what they had done, and further intended, as to every article of it. After which, there don't seem to have been any more federunts of Council till the 6th of *June*.

When the Council met at that time, a letter from the King, dated the 4th of *May*, was read, wherein his Majesty recommended to them the encouragement and support of the *sober and orthodox clergy*; whereupon a proclamation was published, much of the same import with that of the 25th of *March*, wherein heritors and parishioners were made liable for all the damages done to Ministers. That the *sober and orthodox clergy*, as they were now called, by their violent persecuting temper, together with their immoralities, brought upon themselves the odium of the people, is very certain, and consequently, there was no other way to support them, but by the *secular arm*, from which all their authority was derived. It was indeed hinted in the King's letter, and asserted in the proclamation, that many affronts had been given to those sober and orthodox clergy; and it was proper, for the designs of the Managers, that such things should be alledged, let the proof of them be ever so slender.

*Letter and proclamation concerning the clergy.*

That same day, another letter from the King, of the same date, was read, pressing, in the most warm terms, the forfeiting of those who had been in the late rising, and had hitherto made their escape.

But before any thing could be done in this affair, *Sir Robert Murray* came from court, to get a true account of the state of the country, and, in the month of *June*,

*Sir Robert Murray comes from court.*

1667. *June*, was admitted to the office of Justice-clerk. While he was in *Scotland*, all pains were taken, by the *Prelates* and the army, to shew the necessity of continuing the forces now in pay, there being a design on foot for disbanding the army. But this was not thought proper to be put in execution, till once peace was concluded with the *Dutch*.

*The case of the Pentland prisoners.* Mean while, several of the *Pentland* prisoners were set at liberty upon their signing the *Declaration*, and some favours were shewn to other Gentlemen under confinement, such as *William Lawrie* tutor of *Blackwood*, and *James Hamilton* of *Aikenhead*. And on the 11th of *July* the Council gave the following orders relating to the *Pentland* prisoners, viz. 1. That they who refuse the *Allegiance* and *Declaration* be sent, with the first opportunity, to *Barbadoes*. 2. That the two prisoners, who were willing to take the *Allegiance* and *Declaration*, should have the King's pardon. 3. That they who were taken up upon suspicion, should remain in prison, till further examination. And, 4. That these suspected persons should be set at liberty, upon their taking the *Allegiance* and *Declaration*.

*An account of the forfeitures of such as had escaped.* After these things, on the 15th of *August*, the Earl of *Athol* Justice-General, and Sir *John Hume* of *Rentoun* Justice-Clerk, with the Earls of *Linlithgow* and *Dumfries* held a Justice-Court at *Edinburgh*, before whom Sir *John Nesbit*, the King's Advocate, produced a commission signed by *Rothes* the Commissioner, for pursuing criminally, and forfeiting the following persons in their lives and fortunes, as being in the late insurrection in the west, viz. Colonel *James Wallace*, Major *Joseph Lermont*, *William Maxwell* of *Moncrief*, younger, *John McClelland* of *Barscob*, *John Gordon* of *Knockbreck*, *Robert McClelland* of *Barmageichan*, *James Cannon* of *Burnshaleck* younger, *Robert Cannon* of *Montdrogat* younger, *John Welsh* of *Star*, — *Welsh* of *Cornley*, — *Gordon* of *Garrary* in *Kells*, *Robert Chalmers* brother to *Gadgirth*, *Henry Grier* in *Balmaclellan*, *David Scot* in *Irongray*, *John Gordon* in *Middleton* of *Dalry*, *William Gordon* there, *John McNaught* there, *Robert* and *Gilbert Cannons* there, *Andrew Douglas* of *Carradew*, *James Grierison* of *Dargoner*



goner (who was delayed) *James Kirko of Sundaywell*, 1667.  
 — *Ramsay in Mains of Arnistoun, John Hutchison*  
 in *Newbottle*, — *Row Chaplain to Scotstarbet, Pa-*  
*trick Listoun in Calder with his son Patrick, James Wilkie*  
 in Mains of *Clifteunhall, William Muir of Caldwell*, the  
 good-man of *Caldwell*, Mr. *John Cunningham of Bed-*  
*land, William Porterfield of Quarreltoun* and his brother  
*Alexander, Robert Ker of Kerland, William Lockhart of*  
*Wicketshaw, David Pe in Pokellie*, and the following  
 Ministers, viz. Masters *Gabriel Semple, John Semple,*  
*John Guthrie, John Welsh, Samuel Arnot, James Smith,*  
*Alexander Peden*, — *Orr, William Veitch*, — *Paton,*  
*John Crookshank, Gabriel Maxwell, John Carstairs, James*  
*Mitchel, and William Forsyth.*

Now the reader will observe, that, in this list, some *Remarks.*  
 were dead, as Mr. *Crookshank*, and others of them had  
 no being; nay, several of their names were corrected in  
 the *indemnity*, which came down in the end of the year.  
 Besides all these persons were absent, and the Advocate  
 urged to have sentence of death passed upon as many  
 of them as he thought fit to prosecute. And the  
 better to justify this illegal proceeding, having before-  
 hand, practised upon the Lords of Session, produced  
 their answer in court to a query he had proposed, viz.  
*Whether or not a person guilty of high treason may be*  
*pursued before the Justices, though he be absent, and con-*  
*tumacious; so that the Justices, upon citation and sufficient*  
*probation and evidence, may pronounce sentence and doom*  
*of forfeiture if the + dittay be proved?* To which, the + *Indict-*  
 Lords of Session gave it as their opinion, “That, upon *ment.*  
 “the Justices citation, and sufficient probation, taken  
 “before the Judges and + assize, they may proceed + *Jury.*  
 “and pronounce sentence thereintill and forfeiture  
 “against the persons guilty of high treason, though they  
 “be absent and contumacious.”

Things being thus prepared, the Advocate pursued  
 these following persons, viz *Colonel Wallace, Major*  
*Lermont, Barscob, Mr. John Welsh, Mr. James Smith,*  
*Patrick Liston*, his son, and *Quarreltoun*. It was with  
 difficulty they could get a jury, and the one they got  
 was made up of officers in the army, the General's ser-

1667. vants, and some *Papists*. Sir *James Turner* was the first witness that was examined, though it is plain, he could not well + purge himself of malice, and was afterwards condemned for his oppressions, as we shall hear. Sentence was pronounced the same day, by which all these eight were forfeited in life and fortune. Next day, *August* the 16th, *William Muir* of *Caldwel*, *John Caldwell* of *Caldwel* younger, *Robert Ker* of *Kerstrand*, Mr. *John Cunningham* of *Bedland*, *Alexander Porterfield*, *Maxwel* younger of *Moncrief*, *Barmagachan*, *Montdrogat*, *Robert Chalmers*, Masters *Gabriel Semple*, *John Guthrie*, *Alexander Peden*, *William Veitch*, *John Crookshank* and *Patrick M'Naught*, had the same sentence passed upon them. But two years after this *Robert Chalmers* obtained the King's pardon. Why the same sentence was not passed upon Mr. *Gabriel Maxwel* till the 22d of *December* 1671, cannot be accounted for. The rest, in the *Advocat's* commission were delayed, till the month of *November*, when it don't appear they were prosecuted, the indemnity and bond of peace being, before that, in agitation. Some time after this, *Caldwel's* estate was given to *Dalziel*, *Kerstrand's* to *Drummond*, *Lermont's* to Mr. *William Hamilton* of *Woolshaw*, *Quarreltoun's* and his brother's to Mr. *John Hamilton* of *Hallcraig*.

Civil alterations.

By this time, several civil alterations were made, which tended to make things run in a moderate channel. In *England*, *Clarendon's* party were losing ground. And of late a difference arose betwixt *Lauderdale* and several great men in *Scotland*, particularly with Duke *Hamilton*, *Rotbes*, *Newburgh*, *Linkithgow*, *Dalziel*, the officers of the army, and the most of the Bishops. Those who adhered to *Lauderdale* in the Council, were the Earls of *Argyle*, *Tweeddale*, *Kincardin*, Lord *Cochran*, Sir *Robert Murray*, and others. *Lauderdale* had such interest with the King, as to be able to keep his ground against all his enemies, and several alterations were made to his advantage. The Earl of *Airly* and Lord *Cochran* were made Councillors, Sir *Robert Murray* Justice clerk. And at last,

When

When peace was made with the *Dutch*, a letter dated the 13th of *August*, came from the King, peremptorily ordering the army to be disbanded, which was accordingly done, except two troops of horse and *Linlithgow's* foot guards. And by this means *Roth's* authority as General, as well as his Commission, was now at an end, after it had lasted three years. The *Prelates* were dissatisfied; and particularly the Archbishop of *Glasgow* was reported to have said, *Now that the army was disbanded, the gospel would go out of his diocese.*

1667.  
Army dis-  
banded.

When the army was disbanded, matters were managed with a little more moderation, and the *Presbyterians* had some breathing. But the first question that arose, was, How should the country be kept in peace without the army? This gave occasion to both parties in the Council, to endeavour to the utmost, to prosecute their respective designs. The Bishops and their party were for violently pressing the *Declaration* upon all suspected persons. *Tweedale* and the other party proposed a BOND of peace, to be taken and subscribed by all, to whom it should be tendered, which last carried their point by a majority on the 13th of *September*. The Bond of peace, enjoined by authority, was as follows,

Bond of  
peace.

“ **I** *A. B.* do engage, bind and oblige myself to keep  
“ the publick peace, under the pain of a years rent  
“ of all and whatsomsoever lands and heritages pertain to  
“ me, to be paid, in case I contravene: and also I bind  
“ and oblige me, that those, who are, or at any time  
“ hereafter shall be my men, tenants and servants,  
“ during the time they shall be men, tenants and ser-  
“ vants to me, shall keep the publick peace, under the  
“ pains respective after-mentioned, to be paid *toties*  
“ *quoties*, if they, or any of them, shall do in the con-  
“ trar: that is to say, of the payment of the full  
“ value of a year's duty, payable to me for the time,  
“ by the tenant or tenants, that shall happen to con-  
“ travene: and for my servants, in case any of them shall  
“ contravene, the full value of a year's fee. Which sums  
“ aforesaid, I bind and oblige me, my heirs, executors  
“ and successors, in the case aforesaid, to pay the Com-  
Vo L. I. L I missioners



1667. “missioners of the treasury, Treasurer or Treasurer-  
 “depute, who shall happen to be for the time, for  
 “his Majesty’s use. And consent thir presents be re-  
 “gistrate in the books of Privy-Council.

*Remarks.*

This bond became a matter of warm debate among conscientious people, who feared an oath; for the words were so general, as at first view, they seemed to contain nothing inconsistent with *presbyterial* principles, yet they were so *ambiguous*, that the Judge, who tendered this bond, might affirm that they, who subscribed it, did homologate the present government both in Church and State.

To obviate this ambiguity, an expedient was proposed by some, of a *Declaration* of the subscribers sense and meaning, with a consent of the imposers to it, and a *protestation* taken against the supposed unlawful meaning of the words, and all done by way of instrument in the hands of a publick *Notar*, before witnesses. But my author could not tell whether this method was taken.

They, who pleaded *for* the bond, said, that it contained nothing, but what every person is antecedently obliged to by the second table of the law, even to *keep the publick peace*. It was urged on the *other* hand, that when two persons enter into a solemn treaty, they are bound, not only to all moral duties lying upon them before, but even to every article of the treaty, though to their own detriment. Accordingly, some took it, and others refused, which last were represented by Sir George Mackenzie and the *Jacobites* in after times, as a wilful obstinate people, for refusing such a reasonable thing, as to engage to *keep the publick peace*.

Hind let  
 lose, p.

529, 530,  
 531.

But then, it was said in their vindication, “1. That this BOND of *Peace* was a confederacy with God’s enemies, whom we should reckon as our enemies, and hate them, because they hate him, *Psal.* cxxxix. 21. —  
 2. This cannot be taken in truth, judgment and righteousness, because of the fallacy and ambiguity of the terms; for there are divers kinds of *peace*, some of duty, and others not. It must then be peace *rightly qualified*,

*qualified*; for we can profess and pursue no peace of confederacy with *God's enemies*, no peace inconsistent with the fear of God, no peace obstructing the gospel or testimony, ——— no peace prompting to preposterous prudence, in palliating sin, or *daubing* defections with *untempered mortar*, no peace inconsistent with truth, &c. 3. If we further enquire into their meaning by living *peaceably* — it is plain, they mean *such a peaceable living*, as gives obedience to their wicked laws, and is a compliance with their established courses, *such a peaceable living* as is opposite to their sense of sedition, rebellion, schism, &c. *such a peaceable living* as is contrary to all the duties of our *covenanted* profession, as going to meetings, withdrawing from the Curates, &c. which, according to them, is inconsistent with the publick peace. 4. This is contrary to our Covenants, by which we are obliged to a constant contending with, and opposition to all the supporters of *Popery, Prelacy, &c.*"

The Council had likewise ordered some propositions to be sent to the King: among others, that a proclamation be issued, bearing a general pardon and indemnity to all in the late rebellion, except those who were forfeited, or under the process of forfeiture, or such, who have since done violence to the persons of Ministers, invaded their houses, or robbed them of their goods. This last clause was inserted, to throw an odium upon all engaged in the late *rising*, although nothing like this could be proved against any of them. Whereas it was alledged, that some of the army, personating these people, had been *thus* employed, and so the innocent were falsely accused.

In consequence of this, an answer came from his Majesty, with a proclamation of indemnity to all concerned in *Pentland*, except those mentioned (p. 254, 255.) and all other who were forfeited, or under process of forfeiture, and such as between this and the first of *December* next to come shall be found guilty of having robbed Ministers houses or committed violence on their persons; but with this express condition, that this pardon shall only extend to those, who shall give *Bond* for keeping the *publick peace*, before the 1st of *January* following.

1667.  
Remarks.

Some made this observation concerning this indemnity, that in the beginning it pardoned all, in the middle very few, and in the end none at all. The *Bond*, they were to give, was much the same with that mentioned above, except that they were likewise expressly to engage, never to rise in arms against, or without his Majesty's authority, under the highest pains.

Alterations.

The Council, on the 9th of *October*, ordered some alterations to be made in the names of the persons excepted in the King's proclamation of indemnity. Thus finding there was no such person as — *Row* Chaplain to *Scotstarbet*, they ordered that name to be scratched out, and *Caldwel* and *Kerland* to be designed *younger*, Mr. *Trail* to be designed Chaplain to *Scotstarbet*, and *Paton* to be called late preacher, which are proofs of their rashness and inconsiderateness. The clause of *Non-resistance* in the *bond* to be signed by all, who were to have the benefit of this indemnity, rendered it entirely useless to the most concerned; for few of them ever could comply with it.

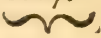
Other acts  
of Council.

Jointly with the indemnity, the Council published their act, of the same date, containing the names of the persons, in the different shires, appointed to take subscriptions from those who claimed the benefit of the indemnity; and ordered all the prisoners to be dismissed upon signing the *bond*. The same day, they took off the restraint, that was upon persons in the western shires, as to their carrying arms, allowing such as should take the Oath of *Allegiance*, &c. that privilege. They likewise gave orders to all Magistrates and Ministers of justice, upon intimation made by the Bishops, to apprehend all persons, who were not only scandalous in their lives, but disobedient to ecclesiastical authority. In consequence of this, many, who could not submit to the ecclesiastical authority, as then established, were harrassed and imprisoned, while *Papists*, *Quakers*, and the openly vicious, were scandalously overlooked.

Regulation  
of the  
forces.

In *November*, the Council issued some orders for the better regulating the army, viz. that no officer or soldier shall levy any money from any of the subjects but by express order in writing from Sir *William Bruce*, for the



the cesses and fines, or others authorised by Parliament, 1667.   
 &c. That satisfaction be made for any abuse, and they, who are guilty of making any abuse, be punished. But these and several such regulations, which the reader may see in my author's appendix, were but little looked after by the Managers, and as little observed by the soldiers.

Vol. I.  
 B. II.  
 N. 30.  
*Some set at liberty.*

Upon taking the *Bond* of peace, several, who were confined 1665, were set at liberty. Thus Sir *Hugh Campbel* of *Cesnock*, *James Dunlop* of that ilk, and *James Holborn* of *Menstry*, the *Laird* of *Blackstoun*, *William Ralstoun* of that ilk, and *Robert Halket*, and Major General *Montgomerie* were all released from their confinement.

Mean while, other Gentlemen were still kept confined without any reason given, such as Sir *George Maxwell* of *Netherpollock*, *Cunninghamhead* and *Rowallan*. Sir *James Stuart* and Sir *John Chiesly* were sent from the Castle of *Edinburgh* to the Tolbooth of *Dundee*. Mr. *Alexander Smith* was brought from *Zetland*, (p. 180, 181.) whither he had been banished, to *Leith*, and presented before the Council. And Mr. *Hugh Peebles* (p. 95, 196.) was permitted to go to the west to settle his affairs.

*Others kept confined.*

In consequence of a letter from the King, the 26th of *November*, requiring them to examine into the conduct of Sir *James Turner*, during his command in the west, the Council appointed the Lords *Halkertoun*, Register, Advocate, Justice-clerk, Lord *Cochran*, Lieutenant General *Drummond*, and Sir *Robert Murray*, to examine Sir *James*, and make report. Their report produced a commission from the Council *December* the 8th, to the Earl of *Niddale*, Lord *Kenmure*, the *Laird* of *Craigdarroch*, and others, to make trial of Sir *James's* conduct, &c. Before this committee, many Gentlemen and others appeared, and gave clear evidence, of a great many grievous and atrocious things, against Sir *James* and those under his command, which not a little vindicated those, who, by these oppressions, were drove to take arms in their own defence.

Sir *James Turner's* conduct enquired into.

While this matter was under examination, the Council, in the month of *December*, ordered the Clerk to write to two Archbishops to see that a list of all the *Papists* of the

*Council's* letter about the *Papists*.

the

1667. the kingdom be given in to the Council, by every Minister's giving in a list of those in their respective parishes, that so the laws against *Papists* may be put in execution. But the *Prelates* had but little zeal against *Papists*, and therefore these orders were generally neglected; which could not but tend to the encrease of popery, and to pave the way for a *PAPIST* to mount the throne.

*Proclamation against Naphtali.*

On the 12th of *December*, a proclamation was emitted against that known book, entitled *Naphtali*, or *the wrestlings of the church of Scotland*, ordering the same to be burnt, and all copies of it to be brought in to the next Magistrates by the 1st of *February* next, and any who had copies, after that, were to be fined in ten thousand pounds *Scots*. This book was composed by two very great men, the reasoning part by Mr. afterwards Sir *James Stuart* of *Goodtrees*, one of the best lawyers of his time, and the historical part by the worthy and reverend Mr. *James Stirling* Minister at *Paisley*. Bishop *Honeyman* pretended to answer it; but the weakness of his performance, and of several of the like stamp, was sufficiently expos'd by the said Mr. *Stuart* in that useful book, entitled *Jus populi vindicatum*.

1668. On the 9th of *January* 1668, the Council ordered Sir *William Cunningham* of *Cunninghead* to be brought from the castle of *Stirling* to that of *Edinburgh*, because of his business with the lawyers there. But in less than two months time, he and the Laird of *Rowallan* were remanded back to the Castle of *Stirling*.

*The King's letter.*

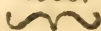
Mean while on the 16th of *January*, the Council received a letter from the King, requiring them to transmit an account of those, who had, and who had not sign'd the *Bond of Peace*, and of the persons, who had been accessary to the late *rising*, and had or had not accepted of the *Indemnity*; and likewise requiring them to restrain *Conventicles*, which were called *rendezvouses of rebellion*, and to execute the laws severely against the ringleaders of such faction and schism.

*Act of Council.*

But before an answer was returned to this letter, the Council, on the last of *January*, ordered the Magistrates of *Edinburgh*, to execute the act and proclamation, dated 17th of *November* 1664 (see page 190.) against outed or ejected

ejected Ministers, and to take special care, that none be permitted to remain within their liberties, without a licence from the Council, the Archbishop of *St. Andrews*, or the Bishop of *Edinburgh*, and requiring them to take special notice, that no Conventicles be kept in the City or liberties.

1668.



On the 20th of *February* the Committee, appointed to examine into the conduct of *Sir James Turner*, gave in their report, by which it appeared, that upon informations from the stewartry of *Kirkcudbright*, given in upon oath, many illegal exactions had been made, and disorders committed; such as, 1. Quartering soldiers for levying of fines and impositions; 2. Exacting cess or quartering-money for more soldiers than were actually present.—6. Fining such as lived orderly, as appears by Ministers certificates.—9. Fining Fathers for their Daughters having their children baptized by outed Ministers.—11. Fining in whole parishes promiscuously. 13. Fining one that lay a year bedfast. — 16. Taking away cattle. The reader may see the whole report at large, and the defence that *Sir James* made, in my author's history; I have only extracted these few particulars, from which he may form a judgment, of what case the country must have been in, when exposed to such oppressions; and if such things appeared only from the stewartry of *Kirkcudbright*, what addition must have been made to the number of his disorders, if the like information had been taken from the shires of *Dumfries* and *Galloway*?

*Report concerning Sir James Turner.*

We may well conclude, that his defences were poor; for when the Council transmitted the report, together with *them*, to his Majesty, the King ordered him to be discharged his service; accordingly on the 10th of *March* he delivered up his commissions. Bishop *Burnet* seems to intimate, that he could have made a better defence than he did, had he been able to produce his papers in time. It is certain, that he affirm'd, that all the commissions and instructions were taken from him by the rebels, when he was made prisoner; and that therefore he had nothing to shew in his own vindication.

*He is discharged the service.*

And



1668. And it was thought that his severities were not, by far, so great as his instructions bore him out in.

p. 246.

This enquiry, says *Burnet*, “ was chiefly levelled at Lord *Rothes*, and *Burnet* Archbishop of *Glasgow*, to cast the odium of the late rebellion on their *injustice* and *ill conduct*. And it was intended that *Turner* should accuse them ; but he had no vouchers to shew. These were believed to be withdrawn by an artifice of Lord *Rothes*. But before the matter was ended, they, in whose hands his papers were left, sent them sealed up to his lodgings. But he was, by that time, broken, and being a man of spirit, would not *then* shew his vouchers, nor expose his friends. So that matter was carried no further.” Now when we consider, that it was entirely owing to these and the like oppressions, that the poor people were forced to take arms in their own defence, and that so much blood was shed ; the reader is to judge whether the punishment inflicted was adequate to the crimes, whether the breaking of an officer or two, without making a publick example for deterring others, was a sufficient reparation for the mischiefs, that were the consequences of their conduct.

*Answer to  
the King's  
letter.*

After the Council had sent up the report against *Turner*, on the 27th of *February*, they returned an answer to the letter, they received on the 16th of last month, wherein they signify that the *bond of peace* was generally signed, that of those who were accessory to the late rebellion, 218 had accepted his Majesty's indemnity, and 300 had refused. And for the further securing the peace of the kingdom, they proposed, 1. That a proclamation be issued, discharging all persons, who would not sign the *bond of peace*, from wearing any kind of arms, and from keeping any horses above the value of fifty pounds *Scots*. 2. That a further time be granted, for persons to come in and accept of the indemnity, by signing the *bond* required. 3. That his Majesty may give warrant for a proclamation, wherein the names of all such of the rebels, as shall not then take the *bond* may be inserted, and power may be granted to the Magistrates to apprehend them ; and that all who shall receive

ceive or harbour them may be declared rebels. They concluded by signifying, that they can do no more against conventicles, and that they would see the laws put in due execution; and acquainted his Majesty, with what they had enacted on the last day of *January*. Accordingly the Council had permission, to receive persons upon their signing the *bond of peace*. 1668.

On the 10th of *March*, when the King signified his pleasure to have *Turner* dismiss'd his service, he ordered Sir *William Bannantyn* to be taken to an account for his conduct: Accordingly Sir *William* was imprisoned, and a Committee appointed to examine his accounts; but as the Council came to no final resolution concerning him till the month of *August*; I shall therefore lay before the reader some of the principal occurrences in the mean while.

Tho' there were as yet but few field-meetings, yet *Presbyterian* Ministers ventured to preach to considerable Assemblies in private houses and barns, at the pressing solicitations of the people, which practice was a great eye-sore to the *Prelates* and the other Managers, who were at all pains to suppress them: Accordingly *May 7.*—*Miller* of *Waxford* was fined in three hundred marks, for being at a conventicle in the shire of *Air*, and obliged to give a bond of one thousand pound *Scots*, that neither he, nor any of his family, should frequent these meetings for the future. The same day the Council gave orders for apprehending and imprisoning all ejected Ministers or others, who should keep conventicles. And, on the 9th of *May*, all the officers and soldiers had orders, to apprehend the said Ministers, dissipate their conventicles, and seize on the principal persons at such meetings, nay, and to seize upon any person, they had a warrant for apprehending from a privy councillor. And the better to execute these orders, the fines were as conveniently disposed of, as they could.

The same day *May* the 9th, the Council issued a proclamation, ordering all Magistrates and Officers of the standing forces, to seize the following persons, who refused to accept of the *indemnity*, viz.

*Bannantyn ordered to be tried.*

*Proceedings against conventicles.*

*Persons to be apprehended.*

1668.



In Carsphairn parish.  
 Nathanael Cannon.  
 James Macmitchel.  
 John Macmillan.  
 William Macmillan.  
 James Mackilney.  
 John Logan.  
 John Crawford.  
 John Cunningham.  
 — Macadam.  
 John Hannay.  
 George Macadam.  
 John Macmillan, jun.  
 George Fergusson.  
 David Cubbison.  
 James Macadam.  
 Alexander Macmillan.  
 William Smith.  
 John Wylie.  
 Roger and Rob. Macolm.  
 In Dalry parish.  
 David Cannon.  
 Edward Crichton.  
 James Fergusson.  
 Robert Crichton.  
 Andrew Crichton.  
 John Machutcheon.  
 James Welsh.  
 John Welsh.  
 Robert Wallat.  
 Herbert Biggar.  
 Thomas Smith.  
 Robert Sinclair.  
 William Welsh.  
 James Biggar.  
 John, Robert and David  
 Currier.  
 Robert Colvin.  
 John Hunter.  
 John Wallat.  
 John Welsh.

John Wright.  
 John Whitehead.  
 James Macbirnie.  
 John Wilson.  
 Andrew Haining.  
 John Gaw.  
 In the shire of Dumfries.  
 John Kirko.  
 James Callan.  
 James Grier.  
 John Grierson.  
 John Law.  
 William Harvey, junior.  
 George Wilson.  
 John Gilkerson.  
 James Aitoun.  
 Thomas Robertson.  
 Matthew Hamilton.  
 Thomas Brown.  
 John and George Jacks.  
 Robert Rae.  
 Patrick Murray.  
 Robert Davidson.  
 In Lanerk parish.  
 John Wilson.  
 Thomas and James Hasties.  
 James Fisher.  
 In Carluck parish.  
 William Loch.  
 William Gilkerson.  
 William Frame.  
 Archibald, Robert and  
 Gabriel Forrests.  
 Thomas Martin.  
 John Skouller.  
 James Armstrong.  
 William King.  
 John Gilkerson.  
 Archibald Hart.  
 Robert Smith.  
 William Brown.



As for the *Pentland* prisoners, *Thomas Lennox* under sentence of death, was set at liberty, upon signing the *Bond*. *Andrew Robertson* got leave to transport himself to *New England*. *John Bryce*, *William Fergusson*, and *William Adam*, for refusing to sign the *bond*, were banished to *Virginia*; nay, the Council, a little after this, made a general order to banish all the prisoners, who should refuse the *bond*; the King having referr'd every thing relating to the rebellion, as it was called, to their pleasure; and, at the desire of the *Prelates*, particularly press'd them to rid the kingdom of *Preachers* at conventicles. But notwithstanding all these severe laws, conventicles encreased.

1668.  
Pentland  
prisoners  
banished.

*Mr. Michael Bruce*, a worthy Minister from *Ireland*, and one who was not afraid to preach to great numbers in houses, and sometimes *in the fields* about the 2d or 3d of *June*, was apprehended in his own hired house by Captain *G. Erskine*. When he found his house in a manner besieged, he attempted his escape, but was forely wounded, and confined to the castle of *Stirling*. It was the 18th of *June*, before he could be carried to *Edinburgh*: And when confined there, none were permitted to speak with him, but in presence of a privy Counsellor. When he was examined, he was always candid and open, without refusing to answer any question that was proposed to him.

Mr.  
Bruce's  
sufferings.

Before he was brought to his trial, the Council, on the 25th of *June*, ordered letters to be directed against Lord *Torphichen*, and other heritors of *West calder*, and others, to answer for harbouring, instead of apprehending *John Gilchrist*, *James Nimmo* and *Thomas Finlay*, who were accessory to the rebellion in 1666. This process being long in dependance, brought many innocent people to trouble.

Letters a-  
gainst  
Torphi-  
chen, &c.

But to return to *Mr. Bruce*. On the 2d of *July*, he was brought before the Council, and, owning that he had preached and baptized in houses and in the fields, was sentenced to be banished out of the three kingdoms, and forced to sign a *bond* never to return, upon the pain of death. When about to leave the kingdom, he was ordered to be sent prisoner to *London*, where he

1668. was confined to the *Gatehouse*; and, after continuing some time there, was sentenced to go to *Tangier* in *Africa*. The reader must determine, what to think of this matter. Here, a *Scotsman*, who had been tried and condemned by the Council in *Scotland*, gets a new sentence pass'd upon him at *London*. However, it seems, this good man met with some connivance, and retired after all to *Ireland*.

Proposals  
for an in-  
dulgence.

Notwithstanding these hardships upon *Presbyterian* Ministers in *Scotland*, the King, this year, allowed some breathing to the *Nonconformists* in *England*; and the Earl of *Tweedale*, in the month of *June* or *July*, called for some of the ejected Ministers of *Scotland*, who were concealing themselves, and made proposals to them, concerning some favour and *indulgence*, he hoped might be procured. The news was very agreeable; but the attempt of a preacher, Mr. *James Mitchel*, interrupted all measures of this kind, for some time.

Mr. Mit-  
chel's at-  
tempt.

This Mr. *Mitchel* took a resolution to dispatch the Archbishop of *St. Andrews*. Accordingly, on the 11th of *July*, when *Sharp* and *Honnyman* Bishop of *Orkney* were going into the coach, at the head of the *Blackfriars Wynd* in *Edinburgh*, *Mitchel* discharged a loaded pistol in at the north side of the coach. *Honnyman* received the shot in the wrist, which was design'd for *Sharp*. *Sharp* was so universally hated, that, tho' this was done in the high street, and in full day light, yet none attempted to seize Mr. *Mitchel*, who, with great deliberation went down the † *Wynd*, changed his cloaths, and escaped. The cry soon arose that a man was kill'd; upon which some replied, *It was only a Bishop*.

† *lane*.

p. 277.

This accident made a little impression on *Sharp*. Bishop *Burnet* says, that he thought it decent to go and congratulate him on this occasion, and tells us that *Sharp* said, with a very serious look, *My times are wholly in thy hand, O thou God of my life*. This, says *Burnet*, was the single expression favouring of piety, that ever fell from him, in all the conversation that pass'd between them two.

A proclamation was issued out on the 13th of *July*, offering a reward of five thousand marks, to any that should

should discover the actor, and the same day the Magistrates of *Edinburgh* were ordered to search the town and suburbs, for all persons concerned in the late rebellion, or who could not give an account of themselves. The city gates were all shut, except the *Netherbow*, where one of the Magistrates was placed, to let none out, whom he did not know, and a hundred soldiers were appointed to give their assistance; so that it was surprizing that great numbers were not apprehended, since, at that time, the town was full of *Whigs*, and of those who had been concerned at *Pentland*, many of whom narrowly escaped, especially *William Maxwell* of *Moncrief*, who escaped their scrutiny, by getting under a meal but in the house of one *Moffat*.

People could not but observe the righteousness of Pro- *Reports.*  
vidence, in disabling *Honnyman* at this time, who had appeared most zealous against *Prelacy*, when it was designed to be introduced, and yet, being seduced by *Sharp*, with the temptation of a Bishoprick, he was the first who wrote against *Presbyterian* government, which he once so keenly espoused.

This affair made a great noise, and the odium of it was cast upon the whole body of the *Presbyterians*, though not one knew any thing of the matter but the actor himself. Whether it is to be justified or condemned, the reader may judge, after he sees what he offered in his own defence when brought to a trial some years after this. But the measures taken with some, who were no ways accessory to it, seem to be very severe and unjustifiable, as will appear from these following instances.

Soon after this, there was a quarrel between one Mrs. *Gray* and her servant, who thereupon quitted her service, and went to *Sharp* and told him, she could inform him of several houses where the *Whigs* usually resorted, and concerning the person who made the late attempt upon himself. *Robert Gray*, on this information, was brought before a Committee of the Council, and, suspecting what his servant had done, owned that, upon such a day, his cousin Major *Lermont*, one *Wellb*, and Mrs *Duncan* a Minister's widow, had dined with him, but denied, that



1668. that he knew any thing of the affassination of the Bishop. Sir *John Nesbit* the Advocate, after some pretended frankness, took his ring from his hand, telling him he had use for it; and immediately sent it, with a messenger, to Mrs. *Gray* to acquaint her, that her husband had discovered all he knew as to the *Whigs*, of which that ring was a token, that she might do the like. And accordingly, the poor woman, being brought before the Committee, told more than her husband had done, particularly of Mrs. *Kello*, where the Reverend Mr. *John Welsh* lodged and preached, the foresaid Mrs. *Duncan*, and *John Crawford* messenger, who, having notice given him, made his escape, but his wife and the other two were apprehended. Mr. *Gray*, upon this broke his heart and died. Mrs. *Duncan*, when before the Council, was threatned with the boots, and had been tortured with them, had not Lord *Rothes* interposed, and told them, that it was not proper for *Gentlewomen to wear boots*. Mrs. *Kello* confessed that Mr. *Welsh* had preached in her house: she was fined in five thousand merks, ordered to be banished with the other two, and continued in prison a long time; and it was with no small difficulty, they were at last set at liberty, after Mrs. *Kello* had paid a good part of her fine.

About this time, some soldiers going from *Edinburgh*, on pretence of searching for the assassins of the Bishop, apprehended one Mr. *Gilon* Minister at *Cavers*, who had gone to *Curry*, a few miles from the town, for the recovery of his health, and made him run the most of the way before them for the space of four miles to the west-port of *Edinburgh*, where he was forced to stand some hours before the gate could be opened. But when he was, the next day, brought before the Council, and nothing being alledged against him, he was dismissed to his chamber, but he was so excessively fatigued, that he died in forty eight hours.

On the 23d of *July*, Mr. *Alexander Smith* (see page 261.) was ordered to be transported to *Orkney*, and required to confine himself to the island of *North-Ronaldshaw*. Several other Ministers were imprisoned in

*Forres* for preaching in their own houses and keeping 1668.  
Conventicles in *Murray*, as *Mr. Thomas Hog* Minister at *Kiltairn*, *Mr. Thomas Urquhart* Minister at ———  
*Mr. John McKilligen* Minister at *Alves*.

Another method used at this time against Conventicles, was to oblige the Magistrates of *Burghs* to give Bond to pay such a sum, if a Conventicle was kept within their jurisdiction, and ordinarily they were refunded from the persons they could apprehend. Accordingly, on the 29th of *July*, the Magistrates of *Edinburgh* gave a bond to the Council to pay fifty pounds sterling, if any Conventicle should be found, and this practice was for some time renewed at every new election. But notwithstanding all these efforts to suppress them, they increased the more.

About the end of *July*, *Mr. John Wilkie* some time Minister at *Twinham* in the south, an old infirm man, having come into *Edinburgh* for his health, was imprisoned, and then examined first before a Committee, and then before the Council, on the 29th. Upon his examination he declared, that he was no ways accessory to the attempt upon the Bishop, and that he only exercised in his own family, both on week days and sabbath days; he was asked, whether he invited any to his family exercise; he answered he invited none, nor debarred any. And when they said, that they supposed he was clear to admit all that came to his family worship, he replied in these words, *Yes, my Lord, you should be welcome, and the Archbishop of St. Andrews should not be debarred.* In short, the only thing against this good man, was his expounding the scripture, singing and praying in his own family, and in two or three others. He was ordered to be confined to *Coupar of Angus*, within ten days after he should be let out of prison; but not being able to travel so far, he remained in prison for some time, and at last his confinement was altered, first to *Moffat*, and then to *Musselburgh*.

Mean while, the Council met on the 4th of *August*, when *Sir James Stuart* was ordered to be made close prisoner in *Dundee*, and *Sir John Chiesly* in the Tolbooth of *St. Johnstoun*; and orders were sent to the Captain of the

*Sufferings of Sir Jam. Stuart, &c.*

1668. the Castle of *Sterling*, to put *Cunninghamhead* and *Rowalland* in distinct rooms; and Sir *George Maxwell* of *Nether-Pollock* was ordered, in eight days, to enter himself prisoner at *Kirkaldy*, under the penalty of 500 l. sterling, but next day, his place of confinement was fixt to the Castle of *Sterling*. The same day *James Anderson*, *John Wright* and *Robert Grier* were banished to *Virginia* for being at *Pentland* 1666.

Sir Will.  
Bannan-  
tyne.

On the same 4th of *August*, the Council fined Sir *William Bannantyne* or *Ballenden* in two hundred pounds sterling; and as he had given security for his removing from the kingdom, by the 1st of *September*, so they freed him from all other pains and punishments. This was justly looked upon as too mild a sentence, considering the horrid extortions, filthiness, rapes and cruelty he had been guilty of; for, besides what has been above related, he made great fires and laid down men to roast before them, when they would not, or could not give the money he desired, or give those informations he wanted. He was barbarous to one Gentleman in *Galloway*, supposed to be *Gordon* of *Largmore*, who, through the wounds he received at *Pentland*, and the hardships he endured before he got to his house, fell sick and was at the point of death, when orders came from *Bannantyne* to bring him to him dead or alive. He raised himself a little on his bed, and told those who were sent, that he now defied Sir *William* and all his persecutors, whom he forgave, since in a little he would be in better company. Having said this, he leaned down, and in a few minutes expired.

His death. *Bannantyne* upon this sentence, went to Court, and put the best face he could upon his affairs; however, he was forced to leave the King's dominions, and accordingly he repaired to the army, then in the *Low-countries*, and served at the siege of *Grave*, where a cannon ball came and drove his heart at some distance from his body, which, my author says, was answerable to a wicked imprecation he commonly used. So that, however mild the sentence was, that was passed upon him, yet vengeance would not suffer him to live.

When



When *Turner* and *Bannantyne* were thus prosecuted, 1668.  
 honest people began to hope, that now they might lay  
 their grievances before the Council; but when *John* *Partiality.*  
*Fergusson*, one of the Magistrates of *Air*, gave in his  
 complaints against *William Cunningham* the Provost,  
 and had been at great charges in bringing above forty  
 witnesses to prove him guilty of many violences and op-  
 pressions, he was told by some of the members of  
 Council, that, unless he dropt his prosecution, the *De-*  
*claration* would be put to him: but not being able to  
 comply with this, he was forced to withdraw and hold  
 himself quiet.

Upon a false alarm of another rising, the Council, on *F. 1<sup>st</sup>*  
 the 12th of *August*, gave orders to the Earl of *Linlith- cl. m.*  
*gow*, to assemble the forces and disperse the rebels; and  
 on the 3d of *September* Lieutenant *Mungo Murray* was  
 sent with sixty horse, and another party under one *Cock-*  
*burn*, to search and apprehend any rebels in arms: but  
 there was not the least ground for any of these fears.  
 It was, about this time, that one *Robert Cannon* of *Man-*  
*drogate*, who was always excepted out of the indem-  
 nity, was apprehended; but being gained by the Ma-  
 naggers, he afterwards acted a very ill part.

In the month of *November*, several concerned in *Pent- Person*  
*land* were admitted to take the *Bond*: and *Robert Chal- banished.*  
*mers* (who was afterwards pardoned) *William Miller* and  
*William Murdoch* were banished. *John Denholm* was  
 banished to *Tangier*, for receiving some of the others  
 one night in his house. *William* and *James Welch* in  
*Irongray*, whose names were wrong inserted in the pro-  
 clamnation *May* the 9th, were dismissed upon signing the  
*Bond of peace*.

On the 23d of *November*, the Council, being in- *Act a-*  
 formed against Mr. *Daniel Cargil*, for coming to *Edin- gainst Mr.*  
*burgh* and other places, at his pleasure, since he was *Cargill.*  
 confined to the north-side of the *Tay*, appointed him  
 to appear before them on the 11th of *January* next.  
 He was not charged with preaching, but only for com-  
 ing to *Edinburgh*, &c. after a six year's confinement:  
 (page 146, 147.) But when he appeared, and was heard

in his own vindication, he was dismissed, and only ordered to remain within the bounds of his appointment.

1669. The year 1669, which I am now entring upon, was remarkable for the INDULGENCE granted to several of the *ejected* Ministers; but as the King's letter, upon that subject, did not come down before the middle of *July*, it will be proper to mention the most remarkable occurrences preceeding that event, in the order of time in which they happened.

*List of  
Papists.*

We took notice of the Council's letter concerning sending in lists of the *Papists*, (p. 261, 262.) Accordingly, on the 4th of *February* this year some lists were brought in; but the Council recorded, that many were wanting; for the zeal of the times ran in another channel.

*Cunningham of  
Bedlane  
apprehended.*


The hardships of those concerned at *Pentland* were still continued, and all pains were taken to discover such of them as had retired to *Ireland*. Accordingly, *John Cunningham* of *Bedlane* was apprehended there. The Council being informed of this, on the said 4th of *February*, ordered the Magistrates of *Air* to receive him as prisoner. When he was brought over, he was committed to prison, first at *Glasgow*, then at *Stirling* Castle, and after that in *Dunbarton*, where he continued a long time.

The west country Gentlemen (pag. 196, 197.) met with some favour, for on the 25th of *February*, Sir *George Maxwell* got liberty to transact his affairs, for some time, in *Edinburgh*, and had his liberty continued from time to time till the month of *June*. The same day Sir *William Cunningham* was allowed to repair to his house, till the middle of *March*. However, they remained in prison after the time of these favours was expired.

*Magistrates of  
Edinburgh  
fined.*

The persecution for Conventicles still went on; for the Council, being informed that Mr. *David Hume* late Minister at *Coldingham* had preached at a Conventicle in the house of Mrs *Paton* a widow Gentlewoman in *Edinburgh* on the 2d of *March*, fined the Magistrates in the sum of fifty pounds sterling, according to the bond (see page 271.) And the same day, small parties of soldiers

were

were sent to quarter in several places, to suppress Conventicles, as at *Glasgow, Newmills, Mauchlin and Kilmar-nock*, and a party was ordered to *Inverness* to keep the *Presbyterians* in awe in that part of the country. 1669. 

The better to find out Conventicles, an act of Council *As a* was made on the 4th of *March*, discharged all persons *scandal ir-regular baptizd.* from having their children baptized by any but their own *Parish Minister*; and signifying that every heritor, who should act otherwise, should pay the fourth part of his yearly valued rent, each tenant a hundred pounds *Scots*, and six weeks imprisonment, and each cottager or sub-tenant twenty pounds *Scots*, and the like imprisonment. The reason given for this act was, because baptism otherwise administred was *a scandal to the Protestant religion, and tended to the increase of Popery, schism and profaneness*. But where the scandal upon the *Protestant* religion consisted in children's being baptized by persons not authorized by a PRELITICAL Church, must be left with the reader. And it is an indubitable fact, that *Popery* and profaneness never increased so much in *Scotland*, since the reformation, as under this period, when *Prelacy* was established.

This act was ordered to be published throughout the *Published.* shires of *Lanerk, Renfrew and Air* and the stewartry of *Kirkcudbright*, and the Commissioners of the militia were ordered to inform themselves of all Conventicles and *disorderly baptisms* since last *November*, that those, who should be found guilty, whether Ministers or hearers, might be prosecuted, and instructions were sent to the Sheriffs and their deputies in the western shires, as to the manner in which they were to proceed against *Non-conformists*.

The same day, The Council ordered more soldiers *Several* to the west, doubting, perhaps, that the militia would *be fined.* not be zealous enough in prosecuting their neighbours. And *James Row* and *George Masman* merchants in *Edinburgh* were fined, the first in a hundred pounds, and the second in two hundred merks, for being at Mrs *Paton's* Conventicle, and *John Row*, agent, of one hundred pounds, for the same crime, and threatned with banishment, if ever they should be found at another: and, in



1669. the mean time, they were imprisoned till they paid their fines.

Collectors  
of fines.

About this time, collectors of the fines for nonconformity appointed by law were named, and sent to those places where Conventicles were most frequent; and the better to encourage these publicans and tax gatherers, they had five hundred merks a piece from the Council; however their reign was short, continuing only till the first of June.

Lord  
Cochran's  
treatment  
of Mini-  
sters.

Ministers  
summoned.

But the Archbishop of *Glasgow* stirred up the Lord *Cochran* to harraßs the *Presbyterians* in his diocese; and accordingly, his Lordship ordered Major *Cockburn*, to summon, before a Committee of Noblemen and Gentlemen at *Air*, several Ministers who, the Bishops alledged, had acted contrary to law, and preached and baptized irregularly: Such as Masters *William Fullerton* late Minister at *St. Quivox*, *John Spaldin* at *Dreg-born*, *Alex. Bleir* at *Galsboun*, *Hugh Archbald* at *Evan-dale*, *James Alexander* at *Kilmacomb*, *And. Dalrymple* at *Auchinleck*, *John Hutchison* at *Maybole*, *James Vetch* at *Mauchlin*, *Hugh Campbel* at *Riccartoun*, *John Gemble* at *Symington* and *John Wallace* at *Larges*. When the Major came with his men to some of their houses, he compelled them to give bond for their appearance, without producing his warrant, and most rudely treated the families of others, obliging them to leave their houses in twenty four hours, to their great detriment and loss. The Council was so sensible of this, that *Mr. Vetch* and *Mr. Blair* were allowed three hundred merks for their losses.

Appeared be-  
fore the  
Committee  
at Air.

Before the  
Committee  
of the  
Council.

All the Ministers appeared before the meeting at *Air*, and answered the questions put to them, with that meekness and candor, that most of the members were for dismissing them. But the Archbishop wanting to get rid of these good men, *Cochran* prevailed to get them cited before the Council, next week at *Edin-burgh*. They obeyed, and appeared before a Committee of the Council on the 6th of *April*, and all frankly acknowledged, that they had preached, and admitted more to hear them than their own families, and promised that, for the future, they would behave peaceably and soberly, as they had always done, and

and as became Ministers of the Gospel; then they subscribed their answers. Upon which they were dismissed and ordered to appear before the Council on the 8th. 1669.

Being then called in, the Lords told them, that they deferred passing sentence at this time, but declared, that if any of them should afterwards keep *Conventicles*, they should be punished as the law directs. Upon this Mr. Fullerton, as had been concerted among themselves, desired liberty to speak, which being granted, he delivered himself thus.

*My Lord Chancellor,*

“ WE have already——confessed —— what hath  
 “ been our carriage, and —— that as in all  
 “ our actings we have carried with due respect to au- *Extract of*  
 “ thority, as it became the Ministers of the gospel, so *Mr. Full-*  
 “ we resolved to continue: And it is no small addition *ertoun's*  
 “ to our sufferings, that we should be——looked upon by *speech.*  
 “ any as *justling with authority*. Yet considering, that  
 “ it hath been, in all the ages of the Church, the case  
 “ of the Lord's faithful servants, from which our Lord  
 “ himself was not exempted, to be slandered as *no*  
 “ friends to CÆSAR, we need not think it strange;  
 “ for our witness is in heaven — that, as we desire to  
 “ give unto God the things that are God's, so also  
 “ unto Cæsar the things that are Cæsar's. —— For  
 “ we judge the fearers of God are the only loyal peo-  
 “ ple in the world, only our loyalty is with *subordina-*  
 “ tion to our Lord Jesus Christ, who is *King of Kings*  
 “ and Lord of Lords, — and under him to the King's  
 “ Majesty and inferior Magistrates, and in *this line of*  
 “ subordination, we shall deny nothing to the King,  
 “ that shall be demanded. — And withal, our loyalty  
 “ is not found upon extrinsick grounds or self prin-  
 “ ciples and motives, but \* allendarly upon the *basis* \* Wholly  
 “ of conscience. — Hence it was, that when the Royal *or entire-*  
 “ Family was in a low condition, we lay in the dust *ly.*  
 “ and poured out our supplications to God, in behalf  
 “ of the King's Majesty. ——

“ And now, seeing we have received our ministry  
 “ from Jesus Christ, and must, one day, give an ac-  
 “ count

1669. “ count to our Master, how we have performed the  
 “ same, we dare have no hand, in the least, to unmi-  
 “ nister ourselves, yea, the word is *like a fire* in our  
 “ bosom, seeking for a vent. And seeing, under the  
 “ force of a command from authority, we have hither-  
 “ to ceased from the publick exercise of our ministry,  
 “ and are wearied with forbearing, — ’tis our humble  
 “ supplication to your Lordship, that you would deal  
 “ with the King’s Majesty in our behalf, that at least  
 “ the indulgence granted to others of our way, within  
 “ his dominions, may be entended to us also. Next, that  
 “ Mr. *Nathaniel Fife* be inhibited to meddle with us, —  
 “ and, that you would do something or other for the  
 “ ease and relief of the poor oppressed people in our  
 “ country, &c.

*Ministers  
 dismissed.*

The Council house was very full, and all were very attentive, so that, at this time, these Ministers were dismissed. They went home and preached in their own houses, and thus the Archbishop was disappointed, and *Cochran* is reported to have said in a pet, *The Ministers shall turn all upside down before I meddle with them again.*

*Proclama-  
 tion a-  
 gainst Con-  
 venticles.*

But though these Ministers were thus dismissed, yet that very day, *April* the 8th, the Council issued a proclamation against *Conventicles*, declaring, that every heritor in the shires of *Lanerk, Renfrew, Air* and *Stewartry of Kirkcudbright*, upon whose estate any such shall be kept, should be fined in the sum of fifty pounds sterling. There was no limitation nor restriction. But notwithstanding this, Ministers did preach, and the people received the word with all readiness of mind.


p. 278.

*Burnet* says, This was plainly against law, for the Council had no power, by their authority, to set arbitrary fines.

*Commis-  
 sion a-  
 gainst a  
 Conven-  
 ticle.*

In the months of *May* and *June*, several Ministers were brought before the Council; but as they generally were not prosecuted, I shall not mention them. But on the 3d of *June*, the Council gave a commission to the Archbishop and Provost of *Glasgow*, to make enquiry, who were present at a *Conventicle* lately kept in that city;



city ; for Mr. *James Hamilton*, late Minister at *Blantyre*, 1669. had been informed against for preaching in his own house. 

Next day, Mr. *Thomas Wylie* (see pag. 147, 190.) obtained his liberty, upon giving bond to appear when Mr. Wy- called ; and by this means several of the Ministers and lie. others got out of their long confinement.

On the 10th of *June*, *Robert Gibson*, *Robert Paton*, *Robert Harper* and *William Cuthbertson* were ordered to be transported for being at *Penland*, as were several others, whose names I know not.

Mr. *Hamilton*, just now mentioned, was sent in prisoner to *Edinburgh*, and without being in the least damped, owned, before a Committee of the Council, that he had preached in his own house at *Glasgow*. And when they spoke to him of the Bishop's lenity and favour, in permitting him to live so long in *Glasgow*, he replied, that it was easy to speak of lenity and favour ; but he was assured, he had not so much liberty and favour, as *Paul* enjoyed under a violent persecuting heathen at *Rome*, where *he remained two years in his own hired house*, and preached the gospel, and none was forbid to come to hear him ; but the honest people of *Glasgow* and himself had been frequently threatned, if they did not forbear. And when they wanted him to give bond to preach no more this way, he said, that he had his commission from Christ to preach the gospel, and he would not lay himself under any restrictions, whatever force others might bring him under. The Chancellor asked him, where his commission was, he answered, *Matth. xxviii. 19. Go teach and baptize* ; the Chancellor replied, that is the Apostle's commission, Do you set up for an Apostle ? No, my Lord, said he, nor for any extraordinary person either ; but that place contains the commission of ordinary Ministers of the gospel, as well as extraordinary ambassadors as the Apostles were. Mr. *Hamilton* adhering to all this before the Council, was, on the 24th of *June*, ordered to be kept in prison, till he gave security not to exercise his publick ministry ; and a general rule was made, that all Ministers, who should be apprehended on account of *Conventicles*, should be served the same way, which

Mr. Hamilton's  
behaviour.

1669. which hindred Ministers afterwards to appear when summoned; and this paved the way for denouncing and intercommuning of Ministers, or declaring them outlaws. Mr. *Hamilton*, after his health had been greatly impaired, was, by the interest of *Robert Hamilton* of *Silvertoun-hill*, set at liberty, upon giving bond for a thousand merks to appear when called.

A Committee appointed.

But by this time, the INDULGENCE was expected, and the Bishops, in order to prevent one part of it from taking place, viz. the four hundred merks from the *non-indulged*, got, it seems, the Council, on the 8th of *July*, to appoint a Committee to examine into the vacant stipends, which, by act of Parliament, were ordered to be applied for the increase of the stock of universities.

Rise of the indulgence.

p. 273.

Whether the *Indulgence*, that was now in agitation, was, by the first proposers of it, as is very probable, designed to divide the *Presbyterians* among themselves, I shall not determine. *Burnet* says, that the people fell off entirely from all the *episcopal* clergy in the western counties, and a set of hot fiery young teachers went about among them, enflaming them still more and more; so that it was necessary to find a remedy for this." But if the people were inflamed, it was by the irregular and cruel behaviour of the Prelates, &c. and not by any hot fiery young teachers as the historian is pleased to say. "*Leighton* proposed, that a treaty should be set on foot for accommodating differences. But this not being agreed to, the Earl of *Tweeddale* proposed the granting to some of the outed or ejected Ministers, leave to go and serve in those parishes, by an act of the King's INDULGENCE. *Leighton* was against this. *Burnet* says further, that Mr. *Mitchel's* attempt upon *Sharp* made him turn his thoughts to more moderate measures, and, being called to court, he, in general terms, approved of the methods of gentleness and moderation then in vogue. When he came back to *Scotland*, he moved in Council, that an *Indulgence* might be granted to some of the publick *resolutioners* with some restraints, such as, that they should not speak or preach against *Episcopacy*, though he could not but know, that such limitations would not be complied with. However, this author

276.

277.

278.

tells us, that the letter he [*Burnet*] sent to the Lord *Tweeddale*, giving a long account of the state of the country, and advising to put some of the more moderate *Presbyterians* into the vacant Churches, gave the deciding stroke to this affair.

Mr. *Wodrow* says, that the Earl of *Tweeddale* had, at this time, frequent conferences with some *Presbyterian* Ministers, particularly Mr. *John Stirling*, Mr. *Robert Douglass*, and others, and prevailed with them to send up a letter to Court, to be a handle to their friends at *London*. *Tweeddale* went to court, either with this or soon after, and found his work the easier, that the *Presbyterians* in *England* were, at present, connived at in their meetings, so that his Lordship, on the 15th of *July*, presented to the Council, the following letter from the King.

CHARLES R.

“**R**IGHT trusty and right well-beloved cousins  
 “and councellors, we greet you well. Whereas, by  
 “the act of Council and proclamation at *Glasgow* in the  
 “year 1662, a considerable number of Ministers were  
 “at once turned out, and so debarred from preaching  
 “of the gospel and exercise of the ministry, we are gra-  
 “ciously pleased to authorise you, our Privy-Council,  
 “to appoint so many of the outed Ministers, as have  
 “lived *peaceably* and orderly in the places, where they  
 “have resided, to return and preach, and exercise other  
 “functions of the ministry, in the Parish-churches  
 “where they formerly resided and served (provided  
 “they be vacant) and to allow patrons to present, to  
 “other vacant Churches, such others of them, as you  
 “shall approve of; and that such of these Ministers,  
 “as shall take *collation* from the Bishop of the diocese,  
 “and keep *Presbyteries* and *Synods*, may be warranted  
 “to lift their stipends, as other Ministers of the king-  
 “dom: But, for such as are not, or shall not be *col-*  
 “*lated* by the Bishop, that they have no warrant to  
 “meddle with the vacant stipend, but only to possess the  
 “manse and glebe; and that you appoint a collector  
 “for these and all other vacant stipends, who shall issue

*King's let-  
 ter of in-  
 dulgence.*



1669. “ the same, and pay an yearly maintenance to the said  
 “ not collated Ministers, as you shall see fit to appoint.  
 “ That all, who are restored and allowed to exercise  
 “ the Ministry, be, in our name and by our authority,  
 “ enjoined to constitute and keep Kirk-Sessions, and  
 “ to keep Presbyteries and Synods, as was done by all  
 “ Ministers *before* 1638. And that such of them, as  
 “ shall not obey our command in keeping presbyteries,  
 “ be confined within the bounds of the parishes, where  
 “ they preach, † ay and while they give assurances to  
 “ keep presbyteries for the future.

† *until.*

“ That all, who shall be allowed to preach, be  
 “ strictly enjoined not to admit any of their neighbours,  
 “ or any other parishes, unto their Communion, nor  
 “ baptize their children, nor marry any of them, with-  
 “ out the allowance of the Minister of the parish, to  
 “ which they belong, unless it be vacant for the time.  
 “ And if it be found, upon complaint made by any  
 “ presbytery to you our Privy Council, that the people  
 “ of the neighbouring or other parishes resort to their  
 “ preaching, and desert their own parish Churches, that,  
 “ according to the degree of the offence or disorder,  
 “ you silence the Minister, who countenances the same,  
 “ for shorter or longer time, and upon a second com-  
 “ plaint verified, that you silence again for a longer  
 “ time, or altogether turn out, as you shall see cause.  
 “ And upon complaint made and verified of any sedi-  
 “ tious discourse or expressions in the pulpit or elsewhere,  
 “ uttered by any of these Ministers, you are immedi-  
 “ ately to turn them out, and further punish them ac-  
 “ cording to law, and the degree of the offence.

“ That such of the outed Ministers, who have be-  
 “ haved *peaceably* and orderly, and are not re-entered  
 “ or presented, as aforesaid, have allowed to them four  
 “ hundred marks *Scots*, yearly, out of the vacant  
 “ Churches, for their maintenance, till they be provided  
 “ of Churches; and that even such, who shall give assu-  
 “ rance to live so for the future, be allowed the same  
 “ yearly maintenance.

“ And, seeing, by these orders, we have taken away  
 “ all pretences for conventicles, and provided for the  
 “ wants of such as are, and will be *peaceable*, if any  
 “ shall

“ shall be found, hereafter; to preach without authority, or keep conventicles, Our express pleasure is, that you proceed, with all severity, against the preachers and hearers, as seditious persons and contemners of our authority. So leaving the management of these orders to your prudence, and recommending them to your care, we bid you farewell. By his Majesty’s command.

“ Given at our court at *White-*

“ *hall*, June 7, 1669.

LAUDERDALE.

1669.

Whether the following remarks, which have been made upon this letter, are just and well grounded; must be left with the reader, 1. That the civil Magistrate takes upon him to depose Ministers from, and restore them to the exercise of their Ministry, as they see proper, and to what places they judge convenient. 2. This letter says, that certain Ministers were turned out and deprived of the exercise of their ministry by an act of Council; and now the King gives authority to the Council to restore them; and consequently all the power, granted to the Council to act in this affair, was derived from the King alone, and therefore the *indulgence* itself was the effect of the *supremacy*. 3. That the Ministers, to be *indulged*, were laid under unlawful restrictions, particularly to use no seditious discourses or expressions in the pulpit or elsewhere, which all preaching or speaking against *Prelacy* and the ecclesiastical *Supremacy* was then accounted; that, unless they keep *presbyteries* and *synods*, viz. those held by the *Bishops*, they must be confined to the parishes where they preach. That they were not to admit any, but those of their own parishes, to partake of the ordinances, unless those that belonged to vacant parishes, under high penalties, &c. 4. That the design of this favour, to be granted to some Ministers, was to prevent others from preaching to any but their own families, for, says his Majesty, *by these orders we have taken away all pretences for conventicles*. 5. That the 400 marks mentioned in the last paragraph save one, was seldom made good. Now how far they were to blame, who complied with the *indulgence*, is not

1669. for me to determine. The reader will afterwards hear, what some said in their own defence for refusing to accept it. See the *History of INDULGENCE*, p. 5, 6, &c.

*Opposition made to it.* When the above letter was read in Council, it met with a good deal of opposition; so that the favour mentioned was delayed for some time, and a Committee was appointed to consider the contents of it, to pitch upon the Ministers to be indulged, and to make draughts of the acts of Council relating to this matter. And the Bishops and others of the Clergy met in the mean time, to hinder its taking place as much as possible. They could not prevent it altogether; but *Sharp*, who was a compleat master of dissimulation, to comfort his brethren, promised to make it *a bone of contention*: And, as I have hinted, this seems to have been the design of it.

*Proposed union.* About this time, a proposal was set on foot for uniting the two kingdoms. “The King, says *Burnet*, lik’d it very well; because he reckoned, that at least, in his time, he should be sure of all the members that should be sent from *Scotland*. The Duke of *Buckingham* went in easily to a new thing, and lord-keeper *Bridgman* was much for it. Lord *Lauderdale* press’d it vehemently; but then this affair made it necessary to hold a parliament in *Scotland*, where he intended to be the King’s Commissioner.”

*A new parliament call’d.* Accordingly on the 15th of *July*, a proclamation was issued for calling a new parliament; and care was taken to manage the elections, so as the King and Bishops might be well served, and any arbitrary and illegal steps, taken by the Council, approved of.

*Ten Ministers in-charge.* The Committee above-mentioned having prepared things, and the Ministers, with whom they were to begin, having notice given them, on the 27th of *July*, the lords of his Majesty’s Privy Council, in pursuance of his Majesty’s letter, dated *June* the 7th, did appoint the following persons to preach and exercise the other functions of the ministry at the following vacant Kirks underwritten, viz. Masters *Ralph Rogers* late Minister at *Glasgow*, at *Kilwinning*; *George Hutchison* late Minister at *Edinburgh*, at *Irvine*; *William Violant* late Minister

fter



fter at *Ferrie*, at *Cambusnethan*; *Robert Millar* late Minister at *Ochiltree*, at the same Church; *John Park* late Minister at *Stranrawer*, at the same Church; *William Maitland* late Minister at *Whitehorn*, at *Beith*; *John Oliphant* late Minister at *Stonehouse*, at the same Kirk; *John Bell* late Minister at *Ardrossan*, at the same Kirk; *John Cant* late Minister at *Kells*, at the same Kirk; *John M' Michan* late Minister at *Dalry* at the same Kirk. The same day the Council made an act concerning Ministers indulged, or to be indulged, almost in the terms of the King's letter; but *without taking notice* of the four hundred marks.

On the 29th of *July* Colonel *Robert Barclay*, who had been taken up only upon suspicion, was permitted to reside at his own house at *Urry* till *January*, and some months after was wholly freed from his restraint. And on the same day *William Wallace* of *Carnel* got up a bond that was extorted from him by *Sir William Bannantyne*.

On the 3d of *August* Mr. *Robert Duncan* late Minister at *Dumrebnie*, who had been several years under restraint, was set at liberty, and the following Ministers were indulged, viz. Masters *John Scot* late at *Oxnam*, there; *William Hamilton* late at *Glassford*, at *Evandale*; *Robert Mitchel* late at *Lufs*, there; *John Gemble* late at *Symington*, there; *Patrick Campbel* late at *Inverary*, there; *Robert Duncanson* late at *Lochan-side*, at *Kildochrenan*; and *Andrew Cameron* late at *Kilfinnan* at *Lochhead* in *Kintyre*.

This day all the Ministers, who were indulged, appeared before the Council, to receive their acts of indulgence, or licenses, of which there were two forms, the one relating to those, who were to serve at their own Churches now vacant, the other relating to those, who were appointed elsewhere.

The tenor of Mr. *Rogers* act is as follows.

“ The Lords of his Majesty's Privy-Council, in pursuance of his Majesty's commands signified the 7th of *June* last, do appoint Mr. *Ralph Rogers* late Minister at *Glasgow*, to preach and exercise the other functions of the ministry at the Kirk of *Kilwinning*.”

The

Other seven in-  
dulged.

Received  
their acts  
of indul-  
gence.

Tenor of  
them.

1669.

\* Foras-  
much.

The tenor of Mr. *Millar's* was

“ \* Forasmeikle as the Kirk of *Ochiltree* is vacant,  
“ the Lords of his Majesty's Privy Council, in pursuance  
“ of his Majesty's commands, signified by his letter the  
“ 7th of *June* last, and in regard of the consent of the  
“ patron, do appoint Mr. *Robert Millar* late Minister  
“ there, to teach and exercise the other functions of  
“ the ministry at the said Kirk of *Ochiltree*.”

When the Clerk had read both these, and then the  
act of Council above-mentioned, a copy was delivered  
to each of the Ministers. After which Mr. *George Hut-*  
*chison*, as had been concerted, ask'd leave to speak,  
which having obtain'd, he said :

My Lords,

“ **I** AM desired, in the name of my brethren here  
“ present, to acknowledge in all humility and thank-  
“ fulness, his Majesty's royal favour in granting us li-  
“ berty and the publick exercise of our ministry,  
“ after so long a restraint from the same, and to return  
“ hearty thanks to your Lordships, for the care and pains  
“ taken therein; and that your Lordships have been  
“ pleased to make us, the unworthiest of many of our  
“ brethren, so early partakers of the same.

“ We having received our ministry from Jesus Christ,  
“ with full prescriptions from him for regulating us  
“ therein, must in the discharge thereof be countable to  
“ him: And as there can be nothing more desirable or  
“ refreshing to us upon earth, than to have free liberty  
“ of the exercise of our ministry, under protection of  
“ lawful authority, the excellent ordinance of God, and  
“ to us most dear and precious; so we purpose and  
“ resolve to behave ourselves, in the discharge of the  
“ ministry, with that wisdom and prudence which be-  
“ comes faithful Ministers of Jesus Christ, and to de-  
“ mean ourselves towards lawful authority, notwith-  
“ standing our known judgments in Church affairs, as  
“ well becomes loyal subjects, and that from a principle  
“ of conscience.

“ And now, my Lords, our prayer to God is, that  
“ the Lord may bless his Majesty, in his person and  
“ govern-

“ government, and your Lordships in your publick ad- 1669.  
 “ ministrations, and especially in pursuance of his Ma-  
 “ jesty’s mind, testified in his letter, wherein his singu-  
 “ lar moderation eminently appears, that others of our  
 “ brethren may, in due time, be made sharers, of the  
 “ liberty that, thro’ his Majesty’s favour, we now en-  
 “ joy.”

This speech was much censured as not being a sufficient testimony against the plain *erastianism* in the *indulgence*. It is indeed certain, that these Ministers owned the King’s letter, as the only rise and fountain of the favour, they were then partakers of; and therefore how far their *complying* was consistent with their principles as *Presbyterians*, or how far they could be justified, in receiving this favour *for themselves*, while their brethren were still exposed to severe hardships, must left with the reader.

For this very day, a severe proclamation was issued *Procla-*  
 against *Conventicles*, commanding all heritors to inform *mation a-*  
 against any who, within their bounds, should take upon *gainst Con-*  
 them to preach or carry on worship, in such assemblies, *venticles.*  
 to the Stewards, Lords, Bailies of regalities, &c. who were commanded under the highest penalties to search for, apprehend and imprison such preachers, in order to their being prosecuted. And indeed, one design of the *indulgence* was to bear down and suppress all such private assemblies, as is expressly declared in the King’s letter.

I cannot here omit the peculiar case of Mr. *John Park*, *Mr. Park’s*  
 (p. 86, 285.) one of the first ten indulged. The Bi- *case.*  
 shop of *Galloway*, in order to prevent his return to his own parish of *Stranrawer*, admitted one *Nasmith* to that Church, about three days after Mr. *Park* was indulged by the Council. But the town and parish opposed this admission, and unanimously adhered to their old Minister. Upon which the Bishop ordered all parties to be summoned to *Edinburgh*, that the Council might determine in this competition. When Mr. *Park* was before the Council, Mr. *Nasmith* accused him, with ordering the Church-doors to be locked after his admission, and exciting several Gentlemen to leave the Church,



1669. Church, &c. But tho' all appeared to be false; and tho' his *act of indulgence* was prior to the Curate's admission, yet the *latter* was sustained.

Mr. Car- On the 1st of *September* Mr. *Daniel Cargill*, in consequence of his petition, had his confinement taken off, providing he obliged himself not to reside, on any account whatsoever, within the town of *Glasgow*, nor in the town and suburbs of *Edinburgh*, without warrant from the lords of session and exchequer.

Seven  
more in-  
dulged.

Next day, the following seven Ministers were indulged, *viz.* Masters *Robert Douglass* late Minister at *Edinburgh*, at *Pancatland*; (tho' only during the present vacancy, till a process should be decided) *Matthew Ramsay* late at *Kilpatrick*, at *Paisley*; *Alexander Hamilton* late at *Dalmeny*, there; *Andrew Dalrymple* late at *Auchinleck*, at *Dalgen*; *James Fletcher* late at *Newthorn*, there; *Andrew M'Lean* late at *Craignies*, at *Kilchattan*, and *Don. Morison* late at *Kilmaglass*, at *Ardnamurchan*.

The same day, the Council ordered the King's advocate, to commence before the parliament a process of forfeiture against those guilty of rebellion 1666, who were excepted out of the King's indemnity, and have as yet neither been forfeited nor pardoned.

The synod  
of Glas-  
gow's re-  
mon-  
strance.  
Burnet,  
p. 283.

This month, the *episcopal* synod of *Glasgow* sat down, and their proceedings issued in the deprivation of the Archbishop, who with his Clergy, were out of measure enraged at the *indulgence*. To use the words of a noted historian, "when it came to be discanted upon, it appeared to be plainly against law; for by the act restoring episcopacy, none were capable of benefices, but such as should own the authority of the Bishops, and be instituted by them. So now the *episcopal* party, that were wont to put all authority in the King, as long as he was for *them*, began to talk of *law*. They said, the King's power was bounded by *law*, and that these proceedings were the trampling of *law* under foot." It was moved in the synod, "that an address might be drawn up, representing to the King the miseries they were under, occasioned by the *indulgence*, they complain'd of it as illegal, and like to be fatal to the

CHURCH."

CHURCH." It also bore hard upon the King's *supremacy*, which these very gentlemen had sworn to support and maintain; the true genius of *passive obedience men*! Such a paper as this could not but make a considerable noise.

1669.

Accordingly, on the last day of *September*, the Council being informed, that such a petition, *remonstrance* or grievances had been debated in the late synod of *Glasgow*, required the Archbishop forthwith to call for the said papers, in order to their being presented to the Council on the 14th of next *October*, and that Mr. *James Ramsay*, dean of *Glasgow*, and Mr. *Ross* parson there, who drew up these papers, appear before the Council the same day, as also the clerk and records of the synod.

Order of Council concerning it.

On this same 30th of *September* *William Southram*, who had been a prisoner in the *Cannogate* jail, for being at a conventicle, was set at liberty, upon finding bail to appear when called, under the penalty of five hundred marks. And the same day the Council granted their *indulgence* to Masters *John Stirling* late at *Edinburgh*, at *Hownam*; *Robert Mowat* late at *Temple*, at *Heriot*; *James Hamilton* late at *Eglisham*, there; *Robert Hunter* late at *Corstorphin*, at *Dinning*; and *John Forest* late at *Tulliallan*, at *Tillicultry*.

William Southram liberated.

Five more indulged.

On the 14th of *October*, *LAUDERDALE*, who was appointed Commissioner to the ensuing parliament, produced before the Council, a paper sent by the Archbishop of *Glasgow*; and after reading, it was remitted to the consideration of a committee, who made their report on the 16th, when the Council declared it to be a paper of a dangerous nature and consequence, tending to the depraving of his Majesty's laws, and misconstruing of the proceedings of his Majesty and his Council; and in the manner of the conveying thereof, to be most illegal and unwarrantable; and therefore ordered it to be suppress'd, and that the principal paper, with the depositions of the Dean and Parson of *Glasgow*, be delivered to the Commissioner, and an extract of this act of Council be transmitted to the King.

The synod's remonstrance condemned.

But before his Majesty's pleasure could be known in this affair, the Parliament sat down on the 19th of

Parliament sat down.

1669. *October*, and the session was opened with reading the King's letter, which chiefly related to the designed *union*, which the Commissioner most earnestly recommended in his speech; and, to engage the Bishops and their party, who were chagrined at the *indulgence*, he insisted upon the King's fix'd resolution to inviolably maintain *episcopacy*, and suppress conventicles. All the members signed the *declaration*, obliging themselves to maintain *Prelacy*.

Mr. Row's and Lyon's affair. The day after the Parliament met, the Council, being inform'd of an horrid insolence committed upon Mr. *John Row* Minister at *Balmaclellan* in *Galloway*, ordered all accessory to it to appear before them: The Parishioners were likewise commanded to come and hear and see themselves fined, and otherwise censured according to the acts of Council in *March* and *June* 1667. Mr. *Row* complain'd, that three persons, in womens cloaths, came in the night-time, took him out of his bed, beat him and broke open his trunks, and took away what they had a mind. And Mr. *Thomas Warner*, his father-in-law *James Grier* of *Milmark*, *Gordon* of *Holm*, *Gordon* of *Gordonstoun*, *John Carsan* and *James Chalmers*, heritors of the parish, were charged, as being either actors or accessory to this violence. Tho', considering their distance from *Edinburgh*, they could not come at the first sederunt of Council, yet they were all found guilty for not appearing; and the heritors and liferenters of the parish were ordered to pay to Mr. *Row* twelve hundred pounds *Scott*: And tho' they, and the other heritors, came as soon as possible, and offered to stand trial, they were not admitted; but were ordered to pay their part of the fine imposed. Of the like nature was the complaint of Mr. *Lyon*, Curate at *Orr*, who was insulted in the night-time, for which the parish was ordered to pay him six hundred pounds, and letters were directed against one *John Smith*, alledged to be concerned in the attempt. But tho' these attempts are not to be justified, yet why the innocent should be punished for the guilty, and why those, who offered themselves to trial, should not be heard, must be left



left to the determination of the reader. But to return to the parliament.

1669.

Tho' one chief design of this parliament was to pave the way for an union between the two kingdoms, yet all that was done relating to that, was that an act pass'd for a treaty about it; whereas the two first acts were of more importance, and had a deeper design.

Burnet,  
P. 284.

The first explain'd, and asserted the King's *supremacy*, but carried it in such general words, that it might have been stretched to every thing, as the reader will see from the act itself, which I here insert.

Ibid.

Act anent the supremacy, *November 16, 1669.*

“ THE estates of parliament having seriously con- sidered, how necessary it is for the good and  
“ peace of the Church and state, that his Majesty's power  
“ and authority in relation to matters and persons eccle-  
“ siastical, be more clearly asserted by an act of parliament,  
“ have, therefore, thought fit, it be enacted, asserted,  
“ and declared; like as, his Majesty, with advice and  
“ consent of his estates of parliament, doth hereby enact,  
“ assert and declare, that his Majesty hath the supreme  
“ authority and supremacy over all persons and in all  
“ causes ecclesiastical within this his kingdom; and that,  
“ by virtue thereof, the ordering and disposal of the  
“ external government and policy of the Church doth  
“ properly belong to his Majesty and his successors, as  
“ an *inherent right to the crown*; and that his Majesty  
“ and his successors may settle, enact and emit such  
“ constitutions, acts and orders, concerning the admini-  
“ stration of the external government of the Church,  
“ and the persons employed in the same, and concern-  
“ ing all ecclesiastical meetings, and matters to be pro-  
“ posed and determined therein, as they, in their royal  
“ wisdom, shall think fit; which acts, orders and con-  
“ stitutions, being recorded in the books of Cotncil,  
“ and duly published, are to be observed and obeyed  
“ by all his Majesty's subjects, any law, act or custom  
“ to the contrary notwithstanding. Likeas, his Ma-  
“ jesty, with advice and consent foresaid, doth rescind  
“ and annul all laws, acts and clauses thereof, and all

Act con-  
cerning the  
supremacy.

1669. “ customs and constitutions, civil or ecclesiastick, which  
 “ are contrary to, or inconsistent with his Majesty’s  
 “ supremacy, as it is hereby asserted, and declares the  
 “ same void and null in all time coming.”

Remarks.

The reader cannot but see, that, by this act, the King may do what he pleases with respect to Church affairs. If he should think fit to pull down *episcopacy*, and set up *presbytery*, the Bishops could not complain, since they had voted him such an *absolute* supremacy; nay, did he or his successors introduce *Papery*, they might justly plead this act of parliament. Bishop Burnet says, Lord Lauderdale very probably knew the secret of the Dukes [of York] religion, and had got into his favour; so it was very likely, he intended to establish himself in it, by putting the Church of Scotland wholly in his power. But, says he, that was yet a secret to us all in Scotland. The method he took to get it pass’d was this. He told all those who loved *presbytery*, or that did not much favour the Bishops, that it was necessary to keep them [*the Bishops*] under, by making them depend absolutely on the King.—He made the nobility see they needed fear no more the *insolence* of the *Bishops*, if they were at mercy, as this would make them. *Sharp* did not like it, but durst not oppose it. *Leighton* was against any such act;—yet he gave his vote for it. He further says, at that time there was no apprehensions of the danger of *Papery*. Many of the best of the *episcopal* Clergy, *Nairn* and *Charteris* in particular, were highly offended at the act. They thought it plainly made the King our *POPE* ;” so far the doctor. It is easy then for the reader to imagine what the sentiments of all true *Presbyterians* must be. I shall make no further remarks on this act, than to observe that the Earl of *Tweeddale* protested to Dr. Burnet, as he tells us himself, that his chief end in it was to justify the *indulgence*; which was certainly granted contrary to several laws then in force; and consequently as this *indulgence* flowed from the *supremacy*, so nothing but the act of *supremacy*, renewed and extended, could screen the members of Council in granting it to Ministers, who had the laws

against

against them; and this was one reason why their acceptance was condemned.

1669.

The next act that pass'd, related to the *militia*, wherein the power of arming the subjects, and raising them in arms is likewise placed among the *inherent rights of the crown*. Burnet says, "that it was enacted that the militia should still be kept up, and be ready to march into any of the King's dominions, for *any cause* in which his Majesty's authority, power or greatness should be concerned; and that the orders should be transmitted to them, from the Council-board, without any mention of orders from the King. Upon this great reflections were made; for when jealousies broke out in *England* of the ill designs that lay hid under this matter, it was thought, that, if the King should call in the *Scottish* army, it should not be necessary, that he himself should send any orders for it; but that upon a secret intimation, the Council might do it without order, and then, if the design should miscarry, it should not lie on the King, but only on the Council, whom, in that case, the King might disown, and so those about the King would be blameless."

*As about the militia.*  
*Ibid.*

The fifth act was for the security of the persons of the Clergy, ratifying the proclamations of the Council the 2<sup>th</sup> of *March* and 6<sup>th</sup> of *June* 1667. See p. 252, 253.

*Fifth act.*

By the eleventh act concerning the forfeiture of persons in the late rebellion, what the Council and Justiciary had formerly done (p. 254, 255.) was ratified and approved of, so that now there is a parliamentary forfeiture of these persons in absence. I cannot here omit a mistake committed by Mr. *Wodrow*, or rather perhaps by the printer. He says he has inserted this act in his appendix to book 2d, Vol. I. N. 36. whereas that number is the act concerning the Ministers, so that this act concerning the forfeitures is omitted. The parliament rose the 23 of *December*.

*Eleventh act.*

Mean while on the 9<sup>th</sup> of *December* the following five Ministers were indulged, viz. Masters *James Veitch* late Minister at *Mauchlin*, there; *Alexander Bleir* late at *Galsoun*, there; *John Primrose* late at *Queensferry*, there; *David*

*Five more indulged.*



1669. *David Brown* late at *Cragie*, there; and *John Crawford* late at — at *Lamington*. But the same day, the Council being informed that — *Hamilton* of *Kinkell*; *John Balcanquill*, brother to the Laird of ditto, and *John Geddie* steward to the Town-clerk of *Fife*, had been present at a conventicle in that shire, they were summoned to appear on the 16th instant, under the pain of rebellion; but no more is mentioned concerning them.

One more indulged. However, on that day the Council, considering, that *Mr. Matthew Ramsay*, who was appointed to be Minister at *Paisley*, was not able by reason of his bodily infirmities to officiate, did, with the consent of the Patron and of *Mr. Ramsay*, appoint *Mr. John Baird*, late Minister at *Innerwick*, to the Church of *Paisley*; so that this year there were thirty five indulged by the Council in consequence of the King's letter.

Gentlemen set at liberty. Some time in this month *Sir William Cunningham* of *Cunninghamhead*, *Sir William Muir* of *Rowallan*, and *Sir George Maxwell* of *Netherpollock*, together with *Sir James Stuart* and *Sir John Chisley*, were all set at liberty.

Burnet turned out. Much about this time, a letter came from the King, laying aside the Archbishop of *Glasgow* from acting any more in that station. The historian of his own time says, "that by the act of *supremacy* the King was now master, and could turned out Bishops at pleasure. This had its first effect on *Burnet*, who was offered a pension, if he would submit and resign, and was threatened to be treated more severely, if he stood out. However he complied, and retired to a private state of life, and bore his disgrace better than he had done his honours." This change was very agreeable to the presbyterians, who suffered exceedingly at the instigation of this man. I now proceed to



# CHAP. IX.

*Of the indulged, the proceedings against Conventicles, the actings of the western Committee, Leighton's accommodation, the laws and acts of Parliament; with an account of the second indulgence, and other things, till the end of the year 1673.*

THE Indulgence granted last year, afforded, doubtless, some relief to those who could accept of it, while others were still exposed to the hardships of the times, though not to that rigour, as when Burnet was Archbishop of Glasgow. 1670.

On the 1st of January 1670, Mr. William Tullidaff, late Minister of Dunboig, was indulged to officiate at Kilbirny. The same day the Council ordered the stipends to be paid to the indulged Ministers. *One more indulged.*

On the 6th of January, the Commissioner signified to the Council, that the Archbishop of Glasgow had resigned his office and dignity, and desired his name might be taken out of the rolls of Council, as being no more a member of it. However, the Dean and Parson of Glasgow were reprimanded by the Council, but afterwards were pardoned and restored to their Charges. The Archbishop was, after some years, restored, as we shall relate in its proper place. *Burnet's resignation.*

This same day, the Council being informed, that Mr. Robert Boyd Curate of Carmonock had been robbed by persons unknown, ordered letters to be directed against the heritors of the parish. Accordingly, the parish being fined in the sum of fifty pounds sterling, Sir Archibald Stuart of Castlemilk paid the fine, which was given to Mr. Boyd. This, with such like attempts, gave rise to the Western Committee, of which we shall hear in its due order. *Sir Archibald Stuart fined.*

Mean while, the indulged Ministers soon found themselves in more straightning circumstances, than at first they apprehended. Thus when they received their

1670. their licences, they agreed among themselves, to keep up the practice of *lecturing* or expounding a portion of scripture before the forenoon's sermon, which had been out of use, since the establishment of *episcopacy*. But the Bishops complaining of *this*, as an innovation, the Council, on the 13th of *January*, passed an act, forbidding this useful and edifying exercise, signifying, that whoever should use it, should be discharged the exercise of their ministry within the kingdom. Though according to the *indulgence*, Ministers were to preach and perform the *other* functions of the ministry, yet they were forbid to expound the scriptures; how consistent this was with their *licence*, the reader must judge.

*Instructi-  
ons to the  
soldiers.*

It is not to be denied, but the *indulgence* was granted, as the most effectual method to *suppress Conventicles*, and therefore the same day, the military received new instructions, upon information of any numerous Conventicle kept since last *November*, to apprehend the Minister and the most considerable heritors and tenants, and, upon their refusing to give security for their appearance before the Council, by a certain day, to send them in prisoners with a party, together with a list of persons to witness against them. This not only made the soldiers severe, but likewise obliged both Ministers and people to repair to the fields, where they could, with the greater ease, disperse themselves, and excited some to *take arms with them* to defend themselves and their Ministers.

The same day, a very good proclamation was issued by the Council against *Papists*: but little or no pains was taken to put it in execution, the great thing being to bear down the *Protestant Nonconformists*.

*Mr. Mort-  
oun, &c.*

Accordingly, the very next day, *January* the 14th, the Reverend Mr. *Andrew Mortoun* Minister at *Carmonnock* in the shire of *Lanerk*, was, by the Council's order, committed prisoner to *Edinburgh*, for preaching in the said parish, and was afterwards sent to *Stirling*, where he continued under confinement till *November*, when, by reason of his bodily indisposition, he was set at liberty; only he must remain at his own house at *Glasgow*, during pleasure. He preached there almost



almost every day, to such of the citizens as came to hear him, except on *Wednesdays*, which he reserved for those of his own congregation, who, being but four miles distant, came in great numbers. Much about the same time, Mr. *Hugh Archbald* Minister at *Strathaven*, and Mr. *John Rae* Minister at *Symington* were apprehended and sent prisoners to *Edinburgh* and afterwards to *Stirling* for preaching and baptising in houses.

On the 27th of *January*, Mr. *Alexander Wedderburn* late Minister at ——— was indulged to officiate at *Kilmarnock*. Another indulged.

On the 3d of *February*, Mr. *Robert Ker* of *Keroland* (page 256.) was sent from *Edinburgh* to *Dumbarton* Keroland. Castle. When this Gentleman was forfeited, he thought proper to retire for safety to *Utrecht*, where he continued with his family some time, till his friends thought it necessary he should come home, though as private as possible. His Lady came over about the latter end of last year, and he followed her in a little time, but when he came to *Edinburgh*, he found her in a fever; she lodged with a Gentlewoman, who was a well-wisher to the suffering cause, and he lodged in a more retired place, and generally came to see her in the evenings; which being observed by one *Cannon* of *Mandrogate*, the Chancellor got information, and an order was procured from *Lauderdale*, then in town, to apprehend Mr. *Welsh* for a Conventicle, he kept in Lady *Keroland's* chamber; though the chief design was upon *Keroland* himself. Accordingly, a party was sent, but finding no Conventicle there, the officer begged the Lady's pardon and retired. But *Mandrogate* having informed one of the party, that *Keroland* usually concealed himself behind the bed, he went and apprehended him. His Lady behaved with a becoming calmness, comforted him, and entreated him to do nothing to wound his conscience, for her sake or his childrens, repeating that scripture, *No man having put his hand to the plough and looking back is fit for the kingdom of God*. He was imprisoned at *Edinburgh*, and this day was sent to *Dumbarton*, where he remained near a year and a half.

1670.

Proclamation  
against con-  
venticles.

The same day, a very severe proclamation was agreed upon in Council against Conventicles; by virtue of which, not only the Magistrates, but also the officers of the militia, were impowered to search out such meetings, and apprehend the preachers and principal persons who attended upon them. These violent measures obliged Ministers and people to take to the fields and defend themselves the best way they could.

Conven-  
ticles at  
Kirkintil-  
loch.

On the 10th of *February*, the Council being informed of two numerous Conventicles about *Kirkintilloch* near *Glasgow*, ordered Mr. *Hamilton* and Mr. *Mitchell* the preachers to be apprehended and sent to *Edinburgh*. Sometime after, one *Robert Burns* of *Glasgow* was fined in a hundred merks for being present. In the beginning of next month the Magistrates of *Edinburgh* renewed their bond concerning Conventicles. And,

Six more  
indulged.

On the 3d of *March*, the following Ministers were indulged, viz. Masters *John Lawder* late at *Dalziel*, there; *George Ramsay* late at —, at *Kilmawers*; *John Spaldin* late at —, at *Dreghorn*; *Thomas Black* late at —, at *Newtyle*; *Andrew McLean* late at — at *Killaro* and *Kilqubanan*; *Andrew Duncanson* late at —, at *Kilbattan* in *Lorn*. These were the last who reaped the benefit of the first INDULGENCE, in all forty two; but, as we have already observed, they soon found themselves abridged in the liberty they expected, particularly by the act of Council against *lecturing*.

Western  
Committee.  
p. 287.

Mr. *Gilbert Burnet*, afterwards Bishop of *Salisbury*, having been chosen Professor of Divinity in the University of *Glasgow*, tells us, that the clergy came and laid their grievances and complaints before him, and that the Gentlemen of the country made such complaints of the vices, irregularities, and indiscretions of the clergy, that though he could not believe all, yet it was impossible not to believe a great deal. He says further, that they were very ill used; and it is not unlikely this might be the case of some, for the people were generally set against them. And therefore he proposed that a Committee of the Council might be sent round the country to examine matters, and give such orders, as were, at present, necessary for the publick quiet, and prepare a report

report against the next session of Parliament, that proper remedies might be found out.

1670.



Accordingly, on the 7th of *April*, the Duke of *Hamilton*, the Earls of *Linlithgow*, *Dumfries*, *Kincairn*, *Dundonald*, the Lord Clerk Register, and Lieutenant General *Drummond*, or any four of them, received a commission from the Council, to execute the laws against the keepers of *Conventicles*, to examine into the abusive attempts committed against the *orthodox Ministers*, to call before them such persons as they shall be informed have transgressed the acts of Parliament, &c. And, among other particular instructions, they were to enquire into the affair of the Minister at *Maybole*, and into the abuse done to Mr. *Irvine* Minister at *Kilmacomb*, &c. and to examine how the *indulged Ministers* have observed the act of Council against *lecturing*, &c.

Their commission.

At the same time, orders were sent to the officers of the army, to obey the commands of the said Commissioners, or of any *one* of them. And the same day the Council passed an act in favour of such of the *episcopal* incumbents, who had been thrust from their charges, appointing them to be maintained in their benefices and stipends according to their rights thereunto.

When this Committee was at *Air*, Mr. *Jaffray* the Curate at *Maybole* renewed his complaints, that some of his parishioners had attempted to murder him, by discharging a pistol at his breast. He said, the ball came upon a book, which he had in his breast under his coat, which was the only thing that saved his life. But the story appeared to be forged; for though the book was pierced, yet it was found, that the coat, which was over the book, was whole and entire, so that the Curate was allowed to bring in all his proofs, yet the matter ended in laughter.

Maybole affair.

Mr. *Irvine* at *Kilmacomb* was very ill liked among his parishioners. While he was preaching one day, some boys threw a piece of a rotten stick at the pulpit; upon the noise it made, Mr. *Irvine* left the pulpit, and went to his own house, being followed by some of the boys with huzzas and cries. Upon this a report was spread, that a Minister had been stoned out

Mr. Irvine's case.



1670. of his pulpit, and forced to flee for his life to the manse. But when the Committee examined this affair, they found it only a frolick of some idle boys. However, the matter being transmitted to the Council, they found *James Watson, James Rankin, John Hattrick, and William Sinclair* guilty of the riot, and ordered them to be transported to the plantations; but the last two, because of their youth, were pardoned, upon their making a publick acknowledgement before the congregation; whether the sentence was executed against the first two is not known. The parish was first fined in fifty pounds sterling, and then increased to a hundred, to be paid to the *Curate*. And the *Lairds of Douchal and Carncurran*, then at *Edinburgh*, were discharged to leave the town, till they paid the said sum. Upon examination the members of this Committee plainly saw, that all, or most of the alledged disorders, committed by the common people, were owing to the ill conduct of the *incumbents*.

*The case of the indulged.* As this Committee examined into these abuses, so, according to their instructions, they took account of the *indulged* Ministers, with respect to their observing the act of Council against *lecturing*. These Ministers being apprehensive that they would be examined as to this, met together and agreed to keep up the practice, altho' they used different methods. Some, it seems, forbore it, but others altered their former method, and instead of one chapter, or part of a large one, read two or more chapters which came nearest to the prescriptions in the directory. Others read a whole chapter, and pitched upon some verse of it for their text, and in opening the text explained the context. But these different practices neither satisfied the Committee, nor were agreeable to many of their hearers. However, when they were examined before the Committee, they gave an account of their different practices, and yet, contrary to expectation, moderate measures prevailed.

*Committee's proceedings against Conventicles.* While the Committee sat at *Glasgow*, the *Curates* gave in *lists* of many *Non-conformists*, who were alledged to have kept *Conventicles*. Several were fined on that account; but the particulars are not known.

The town of *Edinburgh* had been a great shelter to the ejected Ministers; but the Magistrates had received orders from the Council to turn them all out. And the Provost, having got a list of them from the Bishop, sent the town officers to seize them; however, none were apprehended but Mr. *George Johnston* Minister at *Newbottle*, who being examined, and owning his having preached on week days, and on the Lord's day after four o'clock, when the publick worship was over, and refusing to engage not to keep Conventicles, the Council banished him the town of *Edinburgh*, and confined him to the parish *Borthwick*, during their pleasure; and it was the end of the year before his confinement was taken off. The hardships of other *Presbyterian* Ministers, by the soldiers having orders to quarter in their houses, till their families should remove, were so great, that they were forced to seek a new shelter; for many were in danger of their life. But tho' many of them were reduced to straitning circumstances, yet God wonderfully provided for them.

On the 12th of *May*, Mrs. *Elizabeth Cunningham* Lady *Hilderstoun*, was fined by the Council in four hundred merks, for a Conventicle in her house; as were *Nichol Gardiner* merchant in *Edinburgh* in two hundred pounds, and to be imprisoned till he discovered the Minister, and *James Clarkson*, *Archbald Henry*, *William Leick*, and *David Jamie*, in one hundred pounds each, all for being at the same meeting. And the Magistrates of *Edinburgh*, according to their bond, were fined in fifty pounds sterling; such were the hardships of the times! And on the 9th of *June*, the heritors of the parish of *Neilston* were fined in a thousand pounds for a riot on Mr. *Kinnier* the incumbent, and *Allan Stuart* of *Kirk-toun* was ordered to continue at *Edinburgh*, till it was paid.

The multitudes, who went after the preaching of the word, were so great, that houses could not contain them, so that now *field-meetings*, which, of all others, were most violently opposed, became frequent, three of which made great noise. About the middle of *June*, Mr. *John Blackadder* and Mr. *John Dickson* preached to a numerous assembly

1670.

Mr. Geo. Johnston.

M. s. Cunningham, &amp;c.

Field-meetings.

1607. assembly at *Beeth-ill* in the parish of *Dumfermling*. One Lord's day, a Lieutenant of the militia rode up on horse-back, and gave the meeting great disturbance: Whereupon a person, more couragious than the rest, came up to him, and, having in vain, entreated him to withdraw peaceably, took his horse by the bridle, presented a pistol, and threatned to shoot him, if he was not silent. The Lieutenant continued upon this peaceably, till the worship was over, and then had liberty to go where he pleased. The news of this *horrid insult*, as it was called, soon reached *Edinburgh*; and *Sharp* knew well how to improve it. So that many were brought to trouble on account of it. *Robert Wakwood* of *Touch* was fined in five hundred merks, and ordered to lie in prison till it was paid. Mr. *Alexander Hasty* (after the revolution, one of the Ministers of *Glasgow*), *Adam Stobie* of *Luscar*, *William Adam* merchant in *Culross*, *James Sloss* in *Borrowstouness*, *David Mather* elder, in *Brignies*, *John Rankin* in *Bonbard* and *James Duncan* in *Grange*, were taken, and, refusing to inform against others, were each fined in five hundred merks, and ordered to lie in irons during pleasure: And afterwards they, together with Mr. *John Vernor* and *Robert Orr* in *Milnbank*, who had a child baptized there, were ordered to be banished the King's dominions, and not to return upon pain of death. *James Dundas*, brother to the Laird of *Dundas*, was likewise ordered to be transported, but, upon giving his oath upon some interrogatories relating to this Conventicle, was set at liberty. Many others were brought under great hardships for this Conventicle, as *Margaret Martin* Lady *Colvil's* Gentlewoman, and *Bessie Young* her servant, who lay in prison a long time.

Field-meetings at Livingseat.

Another field-meeting was held, much about the same time, at *Livingseat* in the parish of *Carmwath*, on account of which many suffered in the same manner as those mentioned in the last paragraph, particularly that pious youth Mr. *John Vernor*, who, it seems, was at both; but, refusing to inform, upon oath, against any who were present, was committed close prisoner, ordered to lie in irons during the Council's pleasure, and to be fed with bread and water. During this confinement, his



his leg gangrened, which had almost cost him his life; and notwithstanding all the intercession that was made for him, it was *November*, before he and *Robert Orr* were set at liberty, upon giving security, under the penalty of five hundred merks each, to appear when called. *John Carmichael* in *Blackburn* and *David Carmichael* in *Potishaw* were fined in a hundred merks each, for being at this meeting.

The Council being informed of a third *field-meeting* at the *Torwood*, ordered the Earl of *Callender*, to use his interest for suppressing Conventicles in *Stirlingshire*, Accordingly, *Charles Campbell* in *Airth*, refusing to inform, was sentenced to be transported for being at this meeting.

*Field-meeting at Torwood.*

Mr. *John Menzies* Minister at *Carlawerock* near *Dumfries*, observing the severities against *Protestants*, while the *Papists* remained unmolested, notwithstanding the several *remonstrances* he had made to the Bishop in the diocesan meeting, and to the brethren of the exercise, against the growth of *Popery*, at first withdrew from their meetings, and at last, on the 12th of *July*, sent in his written testimony to the *presbytery* of *Dumfries*, in which he says,

*Extract Mr Menzies's testimony.*

“ **T**HAT which hath — been matter of lamentation to many is, that when — the abomination of *Popery* was almost rooted out of our land, that noisom weed hath, of late years, got a great footing among us again. And when not only — *Popery* — but also prophanity of all sorts abounds among all ranks and degrees: — and while many of the godly — are mourning in secret for these abominations, as being a sad prognostick of the Lord’s departing from us, and a judicial stroke of his vengeance. — It is not unknown to some of you, that, in some of the later synods, I did regret the growth of these ills, and intreat, that some effectual remedy might be used for preventing their further increase; albeit, much was promised, yet nothing hath been performed. I likewise often represented — the abounding of these, in most parishes of this presbytery,

1670.

bytery, and particularly within the bounds of my charge. — The last day I was at your meeting, I desired that, by an act of presbytery, *Papists* might be prosecuted, as well as the profane, &c. but was plainly refused that day, — it being declared not to be seasonable; and some of you asserting *them to be the Presbytery's useful friends*. In consideration whereof — my beholding this your way, hath occasioned my more serious thoughts of the course of conformity with *Prelacy*. And albeit *Popery* and profanation may be very accidental to the course of *Conformity* with *Prelacy*, yet beholding, that these two pernicious weeds thrive so kindly in your soil, it hath moved me now, more than ever, to search out what of God can be in that way. And — this is the result of what I have attained to, that I, thro' scripture light and other engagements, — cannot any longer adhere to *Conformity* with *Prelacy*, without the grievous wounding of my own conscience, — and that, by my former *Conformity*, I have exceedingly offended God, and have been a stumbling-block in the way of people, for which, as I desire to be humbled before God, so I crave pardon of all his people whom I have offended. This I declare upon account of no worldly advantage; but my witness is in heaven, I do it only for the glory of God, the edification of his people, and the † exoneration of my own conscience.”

† *disf.*  
*exonerat.*

Upon this, in a most moving, faithful and affectionate manner, he exhorted them to consider their ways, represented how dismal it was, that so many of the faithful should be cast out of God's inheritance, and concluded with these words, “ Finally brethren, as for *Prelacy*, whereupon the Lord hath stamped this mark of his displeasure, that under it truth and godliness hath been under a sensible decay, so ye would consider and ponder the same impartially in the balance of the sanctuary, then, who knows but you shall discover it to be a plant, not set by the hand of God, but of man, and which the Lord in his own time may  
“ cause

“ cause to be plucked out of his own vineyard again ?” He desired that this his testimony might be registred in the *Presbytery records*, but whether this was complied with is not known. Several others also afterward fell off from the *Prelates*.

1670.

The time of the sitting of the Parliament drew near ; and *Lauderdale*, when he came to *Edinburgh*, in order to ingratiate himself with the *Prelates*, renewed the severities against the *ejected* Ministers ; for, by proclamation, he discharged any of them from coming to town without licence, upon pain of death. And as those of them, who were most frequent in preaching, were summoned, at several times in the month of *August*, to appear before the Council, so they finding, that they would either be banished or imprisoned, resolved among themselves not to appear, and sent a letter through all of their perswasion, to stir them up to prayer and solemn fasting, in this day of distress and treading down ; the reader may see the copy of it in the author’s appendix, Book II. N°. 40.

Mean while, the Parliament sat down on the 28th of *July*. The session was short, continuing only for the space of a month ; but some of the acts were sanguinary to the last degree, and, while they remain on record, must brand the makers of them with indelible disgrace.

This session began with an act, impowering the King to name Commissioners for treating of an *union* between the two kingdoms : but this came to nothing.

The 2d act related to those, who refused or delayed to depose or swear against delinquents when required, by which every person, of what quality or sex soever, was obliged to answer upon oath, and swear as to their knowledge of any crimes against the publick laws and peace of the kingdom, and particularly, of any *Conventicles* or other unlawful meetings, and of the several circumstances of the persons present, upon pain of fining, imprisonment or banishment, at the pleasure of the Council. The reader cannot but see the iniquity of this act, by which the nearest relations were obliged to swear against one another, under the penal-



1670. ties mentioned in it, parents were obliged to accuse their children, and children their parents.

*Act against Con-  
venticles.*

But the 5th act was, of all others the most cruel and barbarous. It is the famous *Act against Conventicles*; by this it was enacted, “ That no outed or ejected  
“ Minister, not licensed by the Council, or tolerated by  
“ the Bishop, presume to preach, expound scripture,  
“ or pray in any meeting, except in their own houses,  
“ and to those of their own family, and that none be  
“ present at any such meeting.” So that if any such Minister should be found praying in any family but his own, he was a transgressor of *this law*. Whether this be not a scandal to christianity itself, let the reader judge. Strange times! when a Minister’s praying in any house but his own, should be reckoned sedition. But this was the case, and the Minister or Preacher, by this *famous* act, was to be imprisoned till he found bail not to keep another Conventicle, under the penalty of five thousand merks, [*a greater sum than most of them were worth*] or else consent to leave the kingdom, never to return without his Majesty’s licence. And as for those present at such House-Conventicles, they were to be fined according to their qualities; if heritors, in the fourth part of their yearly rent; if tenants, in twenty five pounds *Scots*; and if cottagers, in twelve pounds *Scots*. *These* were peculiar severities. But the other part of this act relating to *field-preaching*, was still more severe; for thereby it was ordained, that the Minister or Preacher be punished by death and confiscation of goods,

*Remarks.*

and the fines for those present were to be twice as much as for house-meetings. And there are only these three things the reader is to observe, 1. That if any person should be without doors, when an ejected Minister was preaching or praying in any house, *that*, by this act, was deemed a Field Conventicle, and the penalties were the same. 2. Five hundred merks were appointed for those, who should apprehend any of the preachers at field-meetings. 3. The Sheriffs, Stewarts and Lords of regalities, for their better encouragement, were allowed all the fines below

heritors,

heritors, &c. for themselves. This act was to continue 1670. in force only three years, unless his Majesty [*the Pre-* *lates*] should think fit to prolong it.

I shall leave the reader to make his own reflections. The Ministers, who could not accept of the *indulgence*, p. 292. had now their sentence. Bishop *Burnet* says, “that Sir *Robert Murray* told him, that the King was not well pleased with this act, as being extravagantly severe; chiefly in that of the preachers being to be punished by death. He said, that bloody laws did no good, and that he would never have pass’d it, if he had known it before hand. The half of the parliament abhorred this act; yet so abject were they in their submissions to *Lauderdale*, that the young Earl of *Cassils* was the only person, who voted in the negative.” This however, did neither deter Ministers from preaching, nor people from hearing, as we shall relate in the sequel. They chose to suffer rather than sin.

I shall say nothing of their act against disorderly Baptisms (see p. 275.) But their 7th act *against separation* must not be omitted; because all his Majesty’s good subjects, of the REFORMED RELIGION, are hereby commanded to frequent the ordinary meetings for divine worship, in their own parish Churches, under the penalties mentioned in the act in case of failure. Bishop *Burnet* says, “that *Lauderdale*, with his own hands, put in a word in the act, that covered the *Papists*; the fines being laid on such of the *reformed religion* as went not to Church. He pretended, by this, to merit with the *Popish* party, with the Duke [of *York*] in particular. *Lauderdale* told him, that he put in these words on design, to let the party know, *that they were to be worse used than the Papists themselves.*” And so it was in reality; for those of the *reformed religion*, could neither in conscience, attend on the worship of God in parish Churches, nor yet refrain to attend upon ordinances, where they could have them dispensed; and such was the dilemma they were reduced to, that they were expos’d to the severities of the laws then made, whatever course they took. Thus in this short sessions of parliament, a large foundation was laid for a most severe per-

1670. secution; the dismal consequences of it will be related in the sequel.

*Mr. Hamilton, &c. denounced.* On the 11th of *August*, there was a decreet or judgment of the Advocate against Mr. *James Hamilton*, late Minister at *Blantyre*; Mr. *James Mitchel*, Mr. *James Porter*, Mr. *John Dickson*, late Minister at *Rutherglen*, and Mr. *John Blackader*, late Minister at *Traquair*. They were charged for holding conventicles in houses and in the fields. But not appearing when summoned, they were, in absence, denounced and put to the horn, which obliged them to wander up and down the country and preach in the fields, as they had opportunity.

*Mr. Landafs,* About the 15th of *August* Mr. *Robert Landafs*, for performing worship in a private family, about a year before, was apprehended and kept prisoner at *Edinburgh* for six weeks, before he was set at liberty. And Mr. *Hugh Peebles* (p. 195, 196, 261.) was brought before the Council on the 28th of *August*. And tho' nothing could be proved against him, yet, because he would not engage, not to keep conventicles and refrain from preaching and worshipping God in any family, but his own, was confined to *Dumbarton* and a mile round it. The same day the heritors of *Glossford* in *Lanerkshire* were fined in a thousand pound *Scots*, because the *Curates* house had been robb'd by thieves, some of whom, being afterwards apprehended for other crimes, confess'd this robbery at their execution, and declared, that there was not one person in the parish concerned.

This summer the Laird of *Meldrum*, an officer of the guards, apprehended several good people in some parishes in the shire of *Renfrew*, for hearing the ejected Ministers, and put them to no small trouble. Sundry other Ministers were likewise harrafs'd; for, notwithstanding all the difficulties, to which they were exposed, they could not but pity the crying necessities of the people, who thirsted after the word; and their ministry was remarkably successful among them. And about this time, a letter to a Minister supposed to be writ by the reverend Mr. *John Carstairs*, encouraging him in his work, was handed about. The reader will find it in my author's appendix, B. 2. N. 38.



As all methods of severity were used to suppress the *Presbyterians*, so attempts of another nature were made for accomplishing this end. Accordingly when Bishop *Leighton* entered upon the administration of the diocese of *Glasgow*, he received many complaints concerning the scandalous conduct of the clergy, and therefore appointed a committee of his underlings, to receive these accusations, and the Council ordered several to assist them. However, when this committee met in *September*, it was urged, that none should be permitted to give in a complaint, till they had first signed the *Declaration*; but finding they had no legal authority to require this, the motion was dropt. But they fell upon another way to discourage complaints of this kind; for if any fail'd in his proof, he was to appear in sackcloth before the congregation, as a slanderer. But notwithstanding this, the proofs, in many cases, were so clear, that there was no avoiding the evidence. The incumbent of *Killellan* was deposed, and others removed from their charges. And particularly Mr. *Jaffrey* of *Maybole*, who had accused his parishioners (p. 299.) was himself now accused of profane swearing, drunkenness, &c. and when the Committee was like to have discharged him, *Leighton* interposed his authority, and forbid him the exercise of his ministry in that parish. Notwithstanding this the purging Committee was of little effect.

Another method taken to retrieve the credit of the *Clergy*, and to cast a veil upon the *presbyterian* Ministers, was the sending some of the most noted *episcopal* divines to the west, as Mr. *Gilbert Burnet* (afterwards Bishop of *Sarum*) Mr. *James Nairn*, Mr. *Laurence Charters*, Mr. *James Aird*, Mr. *Pat. Cook*, and Mr. *Walter Paterson*, who were ironically termed, by the country people, *The Bishops* EVANGELISTS. It was expected, these would have made proselytes of all the west, but they soon found themselves mistaken. Mr. *Burnet* says in his history, the people of the country came generally to hear us, tho' not in great crouds. We were indeed amazed to see a poor commonalty, so capable to argue upon the points of government, and on the bounds to be set to the power of princes, in matters of religion.

1670.

The purging committee.

The Bishops evangelists.

p. 293.

1670. religion. This measure of knowledge was spread among the meanest of them, their cottagers and their servants.

The accommodation.

The last attempt Bishop *Leighton* made was the accommodation proposed to sundry *Presbyterian* Ministers, about the end of this year, with a view to draw them into an imperceived subjection to *Prelacy*; but the snare was seen and avoided. *Lauderdale*, at *Leighton's* desire, wrote to Masters *Hutchison*, *Wedderburn*, *Ramsay*, *Baird* and *Gambil*, to meet him at *Edinburgh*, on the 9th of *August*, which they did. But, upon hearing the proposals, they replied, that, as these were of a general concern, they could not give their private judgment, without consulting their brethren. They further desired the proposals might be given in writing, which the Bishop promised to do, but did not perform. However, the Commissioner allowed *Presbyterian* Ministers, indulged and not indulged, to meet among themselves, and gave them till the first of *November* to think of an answer.

Proposals.

The Ministers meeting among themselves, put the proposals in this shape, to be communicated to their brethren. “ *Presbyteries* being set up by law, as they “ were established before the year 1638, and the Bishop passing from his negative voice, and we having “ liberty to protest and declare against any remainder “ of *prelatick* power retained, or that may happen, at “ any time, to be exercised by him, for a salvo for our “ consciences from homologation thereof; *queritur*, “ whether we can, with safety to our consciences and “ principles, join in these *presbyteries*? or what else it “ is we will desire or do for peace in the Church, and “ an accommodation, *episcopacy* being always preserved?” Accordingly, at a numerous meeting of Ministers, it was unanimously agreed, that the above concessions were not sufficient, to be a foundation for their sitting and acting in *presbyteries* and *synods* with the *Prelates*; for they justly reckoned this accommodation inconsistent with their principles. They could not comply with this, without complying with *episcopacy* itself, and owning the King’s ecclesiastical supremacy, which was established by law.

On

On the 14th of *December* Bishop *Leighton*, the Provost of *Glasgow*, Sir *John Harper* of *Cannethan*, Mr. *Gilbert Burnet* and Mr. *James Ramsay* Dean of *Glasgow*, met withabout 26 *presbyterian* Ministers, *indulged* and *not indulged*, at *Air*; at which a conference began concerning the power of Bishops; and Mr. *Alexander Jamison* reasoned so closely with *Leighton*, on that point, that he became very uneasy, his nose fell a bleeding, and he was obliged to retire for a little. And when several others were inclined, to enter the lists with him and professor *Burnet*, they were told, that the meeting was not for debates. The meeting was adjourned till next day, when receiving further proposals, they got till the 12th of *January* to consider of them. In the mean time the Ministers, observing that the *last* were more unsatisfactory than the *first*, appointed Masters *Hutchison*, *Wedderburn*, &c. to repair to *Edinburgh*, and deliver in their answers in writing.

1670.  
A Conference.

Accordingly these Ministers got to *Edinburgh* by the 11th of *January* 1671, where they found the Chancellor, Duke *Hamilton*, Earl of *Tweeddale*, and some other Counsellors, with Bishop *Leighton* and Professor *Burnet*. There were two meetings at *Holyrood-house*, besides several private conferences. And in short the Ministers gave in their reasons why the proposals were not satisfactory. At one of these meetings *Leighton* offered a dispute with them, which Mr. *Hutchison* modestly declined, observing, that he was not safe to dispute against *episcopacy*, considering the laws in force against speaking or writing in opposition to it. The Professor insulted upon this; whereupon Mr. *Wedderburn* accepted the challenge, if the Chancellor and Counsellors present would allow him; but that not being granted, the accommodation broke up.

1671.  
Accommodation at an end.

About the beginning of this year Sir *James Dalrymple* of *Stair* was admitted a Privy Counsellor, and on the 12th of *January* the Council fell foul on that noted book entitled, *Jus populi vindicatum*, and on the 16th of *February*, published a proclamation ordering all, who shall have any copies of it in their custody, after such a limited time, to be fined in ten thousand marks. The same

*Jus populi vindicatum.*



1671. same day Colonel *Gilbert Ker*, who had left the kingdom since the restoration, got liberty to reside in *Scotland*; for he had retired from his country, ever since the restoration.

*Presbyterian Ministers censured.*

When the *accommodation* was at an end, the *presbyterian* Ministers were represented as obstinate and unreasonable men. Bishop *Burnet* says, that their behaviour disgusted all wise, moderate and good men, when they rejected propositions, that came so home even to the maxims they themselves had set up. But in this he was mistaken; because there was nothing offered in the proposals, that was inconsistent with *prelacy*; neither could *Presbyterian* Ministers yield to them without renouncing their known principles, and submitting to the *Hierarchy*.

*Act of Council.*


However, the Council, upon this, made an act the 26th of *January*, confining all the *indulged* Ministers to their respective parishes, who would not keep *presbyteries* and *synods*, those namely which were held by the *Bishops*, insomuch that Mr. *John Bell*, Minister at *Ardrrossan*, durst not go to visit his dying father, tho' but a mile distant from him, without a special order from the Council. Some indeed received more favour than others. But as none of them kept the 29th of *May* according to act of parliament, and as they generally kept up the practice of *lecturing*, so they were exposed to no small hardships, and it was with difficulty they could get their stipends.

*Troubles of the ejected Ministers.*

But the ejected Ministers who were not *indulged*, were exposed to still greater hardships; for such of them, who resided in the parishes where *episcopal* Ministers were settled, were ordered either to keep their parish Churches, or remove with their families elsewhere, and not a few were brought to trouble for *baptizing children*.

*Mr. Menzies.*

Mr. *John Menzies* Minister at *Carlawerock*, having been obliged to appear before the Commissioner, was confined to his own chamber at *Edinburgh*. When he had continued there for some time, without any notice being taken of him, he went home and preached to his people. Whereupon the Council finding he had broke his

his confinement, ordered him to appear before them upon pain of rebellion. But what was the consequence of this, I don't find. 

Mean while, the Advocate press'd the execution of the severe acts against *Conventicles*. Accordingly on the 2d of *March*, the Council appointed a Committee to consider what was further to be done for suppressing them, but what they did this year is not known. Only on the 7th of *March* the sureties of Masters *Hastie*, *Stobie*, *Adam*, &c. (see page 302.) were ordered to produce these persons; and when they appeared before the Council, they were commanded to attend the first meeting in *May*, but there is no more concerning them.

Several Gentlemen were likewise brought to much trouble, but none more than Mr. George M'Cartney of *Blaiкет*. On the 2d of *March* Sir Charles Erskine, Lord *Lyon*, got a commission from the Lords of the treasury to enter upon the estates, &c. of such as were forfeited for the rebellion 1666, in the shires of *Dumfries*, *Wigtoun*, and stewartry of *Kirkcudbright*. Tho' this worthy Gentleman was neither at *Pentland*, nor forfeited on that account, yet some way or another his name was inserted. His father was fined in *Middleton's* parliament, and otherwise harrafs'd, and himself suffer'd exceedingly before this, by fines, exactions, and depredations. But when this Gentleman refused this year to compound for his estate with Lord *Lyon*, he was carried in prisoner to *Edinburgh*. After some time, it being found, that he had been neither forfeited, nor an *excepted* person, his liberty was granted upon his giving bond to appear when called; nevertheless he was still detain'd in prison, where he continued the space of six years; during which time, his estate was seized and his lands laid waste, so that his losses amounted to 2400 *l. Scots*. In short the whole of this Gentleman's losses during this time of persecution, besides his being impaired in his health, and enduring grievous hardships, was no less than 9827 *l.* 16 *s.*

Mr. *Cunningham* of *Bedland* (p. 274.) was continued prisoner in *Dunbarton* castle; only got liberty to ride out some miles every day for his health, on giving a bond of ten thousand merks to return to the castle at night.

Mr. Cunningham,  
&c.

1671.



*Ker* and his fellow prisoner (page 297.) petitioned the Council on the 5th of *September*, to be sent to some place more commodious for the education of his children. Accordingly he was ordered to *Aberdeen*, where he was kept close prisoner in a cold room for three months, in the winter season, without being allowed a fire; and in the month of *December*, he was brought from *Aberdeen*, and committed to the castle of *Sterling*, where he continued several years, of whom more will be related afterwards.

*Increase of  
Popery.*

Under all this severity towards *Protestant* nonconformists, the *Prelates* discovered little zeal against *Papists*; for *Popery* sensibly increased, and swarms of *Priests* came over with large cargoes of *relics*, *pictures*, *beads*, and such like *trumpery*, and vast numbers of father *Turbevill's* manual of controversies were industriously dispersed. It is true, the Council, in *August*, ordered four *popish Priests* to be apprehended, and appointed the Earl of *Argyle* and the Lord Register to seize some *Popish* books and *trinkets* that were in a ship lately come to *Leith*. And the *episcopal* Ministers in the north, where *Popery* was barefaced, did appear against it; particularly Mr. *John Menzies* Minister at *Aberdeen* wrote against them. Tho' several representations were made upon this point; yet little regard was had to them at the Council-board, for *Sharp* had the impudence to say one day in Council, that *his Majesty's government was by far in greater hazard from PRESBYTERIANS than PAPISTS; and that it was his opinion, the Council ought to look more narrowly to Presbyterian meetings, in which they were very slack, altho' the great danger lay there.*

*Sharp's  
declaration.*

*Remarks.*  
*Rapin,*  
*V. II. p.*  
*655, &c.*

If the Primate was let into the *secret intrigues* carrying on at this time, it is likely, he spoke what he thought to be matter of fact; for the King had formed a design to render himself *absolute*, and to overturn the *protestant* religion; and as he could not communicate his intentions with safety to his whole Council, so he established a Cabinet-council of five persons only, viz. *Clifford*, *Arlington*, *Buckingham*, *Ashley*, *Lauderdale*. The initial letters of these five names composing the word CABAL, this secret Council was from thence call'd the



the *Cabal*. And if to these, we add the KING and the Duke of *York*, it will be found that all the seven were for *arbitrary government*. And as to religion, the KING, the Duke, *Arlington* and *Clifford* were *Papists*, and the other three of *no religion* at all. In this *Cabal*, as father *Orleans* has declared, a war with the *Dutch* was resolved. The Abbot *Primi* tells us, at the same time, that “King *Charles* signed a private treaty with *France*, and, to give him further assurances in that matter, *Henrietta* of *England*, Dutcheſs of *Orleans*, King *Charles*’s ſiſter went to *England* 1670, and, in the name of the moſt *chriſtian* King, made a propoſal to her royal brother, of inſuring to him an *absolute* authority over his parliament, and *re-eſta bliſhing the CATHOLICK religion* in the three kingdoms; but that, in order to this, there was a neceſſity of lowering the pride and power of the *Dutch*, and reducing that ſtate to the *narrow compaſs* of the province of *Holland, &c.*” It is not my buſineſs to enter into theſe intrigues; it is ſufficient to my purpoſe to obſerve that a deſign was now on foot, to ſubvert the *proteſtant* religion; and if the managers in *Scotland* were privy to it, we need not wonder at their lenity to *Papiſts*, and ſeverity to *Presbyterians*.

1671.

About the end of this year, the Laird of *Lee* was made Juſtice Clerk, and *Lauderdale* Captain of the *Baſt*, which the King bought and turned into a priſon; and indeed *Lauderdale* and his friends, at this time, poſſeſs’d all the chief poſts in *Scotland*. But leaving theſe things,

I now go on to the tranſactions of the year 1672, about the beginning of which Mr. *Ramſay* the *epiſcopal* incumbent of *Auchinleck*, happened to have his houſe robb’d in the night-time, whereupon the Council on the 23d of *January* gave a *commiſſion* “to ſome Officers of the army, in that neighbourhood, to hold courts, call witneſſes, and examine into the affair; and to fine the abſent heritors in 200 *l.* tenants in 40 *l.* and cottagers in 10 *l.* and each woman according to the quality of her huſband dead or alive.” So that here a juſticiary power was lodged in the military officers. Two days after this, *Gordon* of *Dundeugh* in *Galloway*,

1672.

A ſtrange commiſſion.

1672. got up a bond of six hundred marks, which had been extorted from him by Sir *William Bannantyne*.

Order a-  
gainst con-  
venticles.

The persecution against conventicles still went on; for the Council, being informed, that several were kept in *Glasgow*, ordered on the 22d of *February* the Magistrates of that city to suppress them, and to enjoin all the ejected Ministers, either to attend the Church, or remove out of the town, which put many of them to no small difficulties.

The same day, the learned and pious Mr. *Alexander Carmichael*, having been apprehended at *Kirkaldy*, and brought in prisoner to *Edinburgh*, was before the Council, for keeping conventicles, and on the 26th was ordered to be transported by sea to *London*, where he was singularly useful, and finished his course with joy 1676 or 1677. This excellent person is well known to the world by his accurate treatise on *Mortification* published at *London* after his death 1677. His brother Mr. *John Carmichael* and he had, for some time, conformed; but discovering their error, quitted their livings and joined their suffering brethren.

In *March* many of the ejected Ministers about *Edinburgh* were obliged to leave the town, and go they knew not whither. However, several of them, about this time, got to their rest out of the reach of all their enemies, as Mr. *Walter Greg*, Mr. *David Ferrol*, and Mr. *Robert Douglass*.

English in-  
dulgence,  
Neal. v. 4.  
p. 413,  
&c.

On the 15th of *March*, his Majesty's declaration of INDULGENCE to the nonconformists in *England*, which had been communicated to and approved by the *French* King, was published, in which the penal laws against all sorts of nonconformists were suspended; and tho' the *Papists* were not to have publick places for worship, yet they were allowed the exercise of their worship in their private houses. The *Protestant nonconformists*, tho' they had now liberty granted them, yet had no opinion of the dispensing power. They were sensible the indulgence was not granted out of love to them, nor would continue any longer than it would serve the interest of *Popery*. But the beginning of the *Dutch* war made the Court think it necessary to grant them an indulgence,

that

that there might be peace at home, while there was war abroad.

1672.

Two days after this, the King published his *declaration of war* against the *States* dated the 17th of *March*, and the like was published by the *French King* at *Paris*, who, in the beginning of *May*, assembled an army of 120,000 men, and with a rapid fury over-run the greatest part of the *Netherlands*; and the *Dutch* were reduced to such extremities, that the populace rose, and having obliged the *States* to make the young prince of *ORANGE Stadtholder*, they fell upon the two brothers *Cornelius* and *John de Wit*, and tore them to pieces. The young prince, by the blessing of God, was raised up, in this time of extremity, to check the progress of the *French* arms, and disconcert the measures, that had been formed, not only for ruining his country, but also for subverting the *Protestant* religion, and establishing *Popery* and *arbitrary power*.

War a-  
gainst the  
Dutch.  
Rapi-  
Neal.

At this time Lord-keeper *Bridgman* lost all credit at court; for he refused to put the seal to the *indulgence*, as judging it *contrary to law*; so he was dismiss'd. And *Shaftsbury* was made Chancellor, *Clifford* treasurer, *Arlington* had a garter, and was made an Earl. And *Lauderdale* had a garter, and was made a Duke on the 2d of *May*. All the Members of the *Cabal* had great presents from *France*, besides what was openly given them; for the *French Ambassador* gave each of them a picture of the King of *France* set in diamonds to the value of 3000 *l.* sterling. And thus, to use the words of a noted Historian, was the nation and our religion, as well as the King's faith and honour, set to sale and fold. But to return to *Scotland*, where the managers took no notice of these things, but carried on their persecution against the *Presbyterians*.


Burnet.  
P. 307.

308.

In the month of *June* the Parliament sat down at *Edinburgh*, and made several persecuting acts. By their first act, none were to be officers of the militia but *episcopals*, and both officers and soldiers were to take the *Oath of allegiance* and *declaration*, and upon refusal to be imprisoned and banished. By their 9th act against *unlawful ordinations*, none were to ordain to the Ministry,

Acts of  
Parlia-  
ment.



1672.  stry, but those who were authorised by the laws, and all pretended ordinations since 1661 were declared to be void and null. And the ordainers and ordained contrary to this act, were to be imprisoned and banished by the Council; and persons married by such were denuded of all they could claim, *Jure mariti vel relicte*, &c. By the 11th act about baptisms, it was ordained, "that every person who wants a certificate from the Minister of the parish where he lives, that his child was baptized within 30 days of its birth, shall be fined, heritors in a fourth part of their yearly valued rent, merchants in a hundred pound Scots, &c." By the 12th act, all who don't observe the 29th of May, the anniversary of his Majesty's restoration, were ordered to be fined and otherwise punished by the Council, and other judges ordinary according to their condition and estate. See p. 82. By the 17th act, the acts past in the last session concerning *Conventicles*, and withdrawing from publick ordinances, are to continue in force for three years after the expiration of the time limited by these acts. The reader will find the most of these acts inserted at large in my author's appendix, to which I refer him. The last act of this session was against *profaneness*. It is an excellent act, had it only been put in execution. But the *ecclesiastick* gentlemen had something else to mind.

Persecution for Conventicles.

During this session of Parliament, a great many were imprisoned, fined, and denounced on account of *Conventicles*: Accordingly, on the 11th of July, Mr. Patrick Hay Laird of Lees, was ordered to be confined to his chamber at *Edinburgh*; and Mr. James Mercer tutor of the Laird of Meggins to be confined to the town. His pupil Mr. John Drummond of Meggins younger, Alexander Christie and Thomas Keltie merchants in Perth, were ordered to be carried prisoners to the Tolbooth of *Edinburgh*. Those who were, at this time, summoned and did not appear, who were not a few, were denounced and put to the horn. On the 14th Meggins elder was fined in 500*l. sterling* for his lady's being at a *Conventicle*, and his son the said Mr. Drummond was imprisoned till his father should pay the fine. At the same time the said Alexander Christie and Thomas Keltie, were fined in

500*l.* merks *Scots* each, the Laird of *Lees* in a thousand merks, and *George Hay* of *Balhoufie*, afterwards Earl of *Kinnoul*, in 1000*l.* *sterling*; and all of them to remain in prison till their fines were paid. On the 24th of *July*, *Ann* countess of *Wigtoun*, an excellent widow lady, was obliged to appear personally before the Council, and, upon her owning her being at a Conventicle in the house of *Boghall*, was fined in 4000 merks. And *Mr. James Duncan* at *Duplin*, for being at another at the bridge of *Earn*, was fined in 2000 merks, and the following persons were imprisoned, viz. *James Creichton*, *John Dalziel*, *James Paterson*, *William Cleghorn*, *Malc. Brown*, *Peter Gilles*, *Thomas Crichtoun*, *James Glasgow*, *James Lindsay*, *James Thompson*, *James Forrest*, *John Newbigging*, *John Hutchison*, and *Malcolm Gibson*; they who did not appear were denounced. Such was the mildness of this administration!

During these proceedings against Conventicles, on the 13th of *July*, *Mr. John Rae* and *Mr. Hugh Archbald* (see page 297.) were sent from *Stirling* castle to *Dumbarton*, along with *Mr. John Cunningham* of *Bedland* (see p. 274.) The same day *Mr. John Scot*, son to *Andrew Scot* in *Tuskilaw*, having been imprisoned for writing to the *Rev. Mr. John Carstairs* in *Holland*, was brought before the Council, and after examination was set at liberty upon a bond of a thousand merks to appear when called. I cannot omit here taking notice of a passage in *Bishop Burnet's* history, who would make the world believe that there were designs from *Holland* to raise a rebellion in *Scotland*. His words are these, "That which gave Duke *Lauderdale* juster ground of offence was, that one *Carstairs*, much employed at that time in greater matters, was taken in a ship that came from *Rotterdam*. He himself escaped out of their hands, but his letters were taken. They had a great deal writ in white ink, which shewed, that the design of sending him over was, to know in what disposition the people were, promising arms and other necessities, if they were in a condition to give the government any disturbance. But the whole was so darkly writ, much being referred to the bearer, that it was

p. 340.

" not

1672. “not possible to understand what lay hid under so many  
 { “mysterious expressions.” But this seems to be a very  
 dark story. It is true the above Mr. *Scot* was imprisoned for corresponding with Mr. *Carstairs*; for after the beginning of the *Dutch* war, fundry were brought to trouble for writing to their friends in *Holland*. Mr. *William Livingston* was also imprisoned for the same cause. But there is no ground to assert that there were any such designs as the Bishop represents, neither is that historian obliged to his information, when he says that Mr. *Carstairs* escaped out of their hands. When he came home he did not seek to escape, but on the 3d of *September* this year appeared before the Council, and found bail to appear again whenever call’d, under the penalty of 2000 merks; after which I find little more concerning him.

Another  
 indul-  
 gence de-  
 signed.

P. 340.

341.

And as the 2d INDULGENCE was given on the 3d of *September*, I shall now give some account of it. When *Lauderdale* came down to *Scotland*, it was generally said he had an *indulgence* in his pocket. And as a *toleration* had been granted to the *Nonconformists* in *England*, the like favour was expected in *Scotland* exclusive of *Papists*. But the Bishops and Lords of Council, that were of their party, violently opposed it, and many letters were writ to the Court against it. However, *Lauderdale* had full instructions in this matter, tho’ he kept them close, and carried with great rigour to *Presbyterian* Ministers and others. Bishop *Burnet* says, *Lauderdale* look’d on near two months, after he came down to *Scotland*, waiting for an application for *liberty of conscience*. But the designs of the court were now clearly seen into. The *Presbyterians* understood, they were only to be made use of in order to the introducing of *Popery*, so they resolved to be silent and passive; upon this he broke out into fury and rage against them, “and carried matters so far, that when *Burnet* ask’d him, was that a time to drive them into rebellion? Yes, said he, *would to God they would rebel, that so he might bring over an army of Irish Papists to cut all their throats.*—But, says the historian, he calm’d all of a sudden. But be these things as they will. When it was certain that a new *indulgence* was intended,

About



About 20 Ministers met at *Edinburgh* on the 8th of *August*, and agreed to write to Sir *James Dalrymple* of *Stair*, now a Privy-Counsellor, upon whom they had great dependence, that the terms of the *indulgence* might be free from straitning conditions. But as they could not agree upon the contents of the letter, they next resolved, to send two of their number to represent their case to *Stair*. Accordingly Mr. *Gabriel Cunningham* and Mr. *James Kirkcoun* waited upon him and received very kind assurances, that he would do what he could for them.

1672.  
Ministers  
meet.

Mean while, on the 29th of *August*, Mr. *John Spreul* (see p. 74, 191.) petitioned the Council for his liberty, since he had submitted to banishment for eight years, and, having come home for his health, had been taken up for *Conventicles*, tho' he had never been at any. His petition was granted upon giving bond and security to appear when call'd under the penalty of 2000 marks. The same day Mr. *Hugh Archbald* and Mr. *John Murray* were set at liberty, only the former was confined to the parish of *Galsoun* in the shire of *Air*, and the latter to that of *Queensferry*, and both were ordered to abstain from *Conventicles*.

Some set  
at liberty.

At length on the 3d of *September*, being the Lord's day, the Council came to a determination as to the *indulgence*, and made the following acts.

Second in-  
dulgence.

*Holyrood-house, September 3, 1672. History of*

“ THE Lord Commissioner his Grace, and the  
“ Lords of his Majesty's Privy Council, con-  
“ sidering the disorders, which have lately been by the  
“ frequent and numerous *Conventicles*, and being wil-  
“ ling to remedy so great an evil, in the gentlest man-  
“ ner that could be thought on; and his Majesty's  
“ Commissioner being sufficiently instructed herein,  
“ they do order and appoint the Ministers hereafter  
“ named, outed since the year 1661, to repair to the  
“ parishes following, and to remain therein *confined*,  
“ permitting and allowing them to preach and exercise  
“ the other parts of their ministerial function, in the pa-  
“ rishes

indul-  
gence,  
P. 35.

1672. “ rishes to which they are or shall be *confined*, by this  
 “ present act and commission after specified, viz.

† He was  
 baptized  
 by the  
 name of  
 Daniel.  
 He did not  
 accept.

*In the Diocese of Glasgow.*

*In Eglisbam Parish with Mr. James Hamilton, Mr.  
 † Donald Cargill.*

*Paissy with Mr. John Bairdy, Masters Will. Eccles and  
 Ant. Shaw.*

*Neilstoun, Mrs. Andrew Miller and James Wallace.*

*Kilmacolm, Mrs. Patrick Simpson and William Thomson.*

*Kilbrachan, Masters John Stirling and James Walkinshaw.*

*Killiallan, Masters James Hutchison and Alex. Jamison.*

*Irwin.*

*Newmills, Masters John Burnet and George Campbell.*

*Phinnick, Masters Thomas Wyrie and William Shiel.*

*Stewartoun, Masters William Castellaw, And. Hutchison,  
 and And. Mortoun.*

*Dunlop, Masters Gabriel Cunningham and William Mein.*

*Larges, Masters John Wallace and Alexander Gordon.*

*Kilbride, Masters Robert Boid and Gilbert Hamilton.*

*Comray, Masters Archbald Porteous and John Rae.*

*Kilwinning, with Mr. Ralph Roger, Mr. Robert Fleming.*

*Irwin, with Mr. George Hutchison, Mr. John Law.*

*Kilmarnock, with Mr. Alexander Wedderburn, Masters  
 James Rowat and William Hay.*

*Kilmawers, with Mr. George Ramsay, Mr. John Park.*

*Dregborn, with John Spalding, Mr. James Donaldson.*

*Beith, with Mr. Will. Maitland, Mr. Will. Crichtoun.*

*Kilbernie, with Mr. Will. Tillidaff, Mr. Pat. Anderson.*

*Ardrossine, with Mr. John Bell, Mr. James Bell.*

*Air.*

*Cultoun, Mr. William Fullertoun.*

*Riccartoun, Masters Hugh Campbell and Hugh Crawford.*

*Dundonald, Masters John Osburn and John Hutchison.*

*Mauchline, with Mr. James Veitch, Mr. Robt. Archbald.*

*Ochiltree, with Mr. Robert Miller, Mr. Patrick Peacock.*

*Gasoun, with Mr. Alexander Blair, Mr. Adam Alison.*

*Craigie, with Mr. David Brown, Mr. Robert Maxwell.*

*Dalanie, with Mr. And. Dalrymple, Mr. John Campbell.*

*Symontoun, with Mr. John Gemil, Mr. Francis Irvine.*



Kirkcudbright.

*Carsfairn*, John Semple and Mr. William Erskine.

*Kelles*, with Mr. Cant, Mr. George Wauch.

*Dalry*, with Mr. John M<sup>c</sup>Michan, Mr. Th. Thomson.

*Balmaclellan*, Masters James Lawrie and Thomas Vernor,  
in place of John Ross, when he shall be

\* transported to *Stony-kirk*. But Mr. Ver- \* translat-  
nor did not accept. ed.

Hamilton.

*Avendale*, Masters James Hamilton and Robert Young.

*Glasford*, Masters William Hamilton and James Nasmyth.

*Shots*, Masters James Currie and Alexander Bartoun.

*Dalserfe*, Masters Thomas Kirkaldy and John Carmichael.

*Stonehouse*, with Mr. John Oliphant, Mr. Matt. M<sup>c</sup>Kell.

*Cambusnethan*, with Mr. Will. Violant, Mr. Robt. Lamb.

*Dalziel*, with Mr. John Latoder, Mr. Thomas Melvil.

Lanerk.

*Carlouk*, Masters Alexander Livingston and Peter Kid,  
now at *Carlouk*.

*Carmichael*, Masters John Hamilton and Will. Sommervail.

*Culter*, Masters Anthony Murray and Robert Lockhart.

*Lamingtoun*, with Mr. John Crawford Mr. Will. Bailie.

*Lefmahago*, with Mr. Thomas Lawrie a regular incum-  
bent, Mr. James Bratherstones.

*Carstairs*, Masters James Kirktoun and John Greg.

Linlithgow.

*West-caldar*, Masters John Knox and William Weir.

*Borrowstouness*, Masters Robert Hunter and John Inglis.

Lothian, &c.

*Lintoun*, with Mr. Robert Elliot, Mr. Robert Elliot his  
son.

*Oxnam*, with Mr. John Scot, Mr. Hugh Scot.

*Hownam*, with Mr. John Stirling, Mr. — Ker.

Argyle.

*Killern*, Masters John Cunminson and Alexander M<sup>c</sup>Lean.

*Kilfannan*, Mr. John Cameron.

*Campbeltoun*, Masters Duncan Campbel and Edw. Keith.

*Kilbattan* in *Lorn*, Masters J. Duncanson and A. M<sup>c</sup>Lean.

*Knapdale*, with Mr. Dougal Campbel a regular incumbent,  
Mr. Duncan Campbel.

*South Kintyre*, Mr. David Simpson.



1672.



“ And yet notwithstanding the said *confinement*, the Lord Commissioner his Grace, &c. give full power—  
 “ to the Lord Chancellor, &c. or any four of them, to  
 “ *alter* any of the persons foresaid from any of the said  
 “ parishes, to another of those parishes, or to allow and  
 “ confine other persons in their place, they always  
 “ pitching—on some outed Ministers from that diocese,  
 “ wherein the parishes, to which they are to be confined,  
 “ do lie; and allowing none to preach who were outed  
 “ before 1662, or being outed since 1661, are under  
 “ —sentences of any court of this kingdom, with power  
 “ to the said Commissioners or their *quorum* to *confine* to  
 “ and allow outed Ministers in the parishes of *Tarbol-*  
 “ *toun, Barnwell, Stevenson, Lochgunnoch, Inchinnen*  
 “ and *Mearns*; and that so soon as the present incum-  
 “ bents in these parishes shall be provided and trans-  
 “ ported to other Kirks. Recommending to patrons  
 “ to give them presentation at Kirks that shall \* *vaik*;  
 “ and particularly to — Patron of the Kirk of *Gala-*  
 “ *shiels*, to give a presentation thereto to Mr. *Alexander*  
 “ *George*; to — Patron of the Kirk of *Burghtoun*,  
 “ to present thereto Mr. *William Nasmyth*; to — Pa-  
 “ tron of the Kirk of *Maclue*, to present Mr. *Robert*  
 “ *Kincaid*; to — Patron of *Gartne* to present Mr.  
 “ — *Stuart* —.” The rest of this act relates to  
 the stipends, and gives assurance to the *episcopal*  
 Clergy, that *no more shall be indulged*.

• become  
vacant.

Rules to  
be observ-  
ed.

The same day the Council made another act contain-  
 ing the rules to be observed by all who were *indulged*.  
 As 1. They must not marry or baptize, except those  
 who belong to their respective parishes, or to any neigh-  
 bouring parishes, if vacant. 2. They must administer  
 the Lord's Supper on one and the same day, and admit  
 none to partake with them from other parishes, without  
 a certificate from the Ministers thereof. 3. They must  
 preach only in the Church, under the pain of being pun-  
 ished as *keepers of Conventicles*. 4. They must not go  
 out of their parishes without a license from the Bishop  
 of the diocese *only*. 5. That as to discipline, all such  
 cases, as were formerly referable to presbyteries, must  
 continue still in the same manner; and where there is

no *presbyterial* meeting, that these cases be referred to the presbytery of the next bounds. 6. That the ordinary dues payable to Bursers, Clerks of presbyteries and Synods, be paid by the said Ministers as formerly.

There was a 3d act of Council made the same day, relating to the *rest* of the *ejected* Ministers not as yet *indulged*, by which they were required to hear the word, and communicate in those parish Churches, where they resided, or else to remove to some other parishes, where they can hear and communicate under the pain of imprisonment. This act discharged all other *presbyterian* Ministers, except the *indulged*, from exercising any part of the ministerial function, under what punishment the Council shall think proper to inflict; and the sheriffs and other magistrates were commanded to examine into the conduct of the *indulged*, with respect to their observing the rules above-mentioned, and make report every six months, and some time before the first of *June* ensuing.

When the account of these acts came abroad, many Ministers were dissatisfied. And at a meeting of about 13, which was held at *Edinburgh* about a day or two after, it was proposed, that all the brethren present should declare themselves against it. But this, being found to be a matter of general concern, another meeting was appointed for the 24th of *September*, and letters were sent to several Ministers in the country to attend and deliver their sentiments as to this matter.

Mean while, as one great design of the *indulgence* was the suppressing of *Conventicles*, so on the 16th, “ the  
 “ Commissioner and Council gave a warrant to the  
 “ Lord Chancellor, the Archbishop of *St. Andrews*,  
 “ Duke *Hamilton*, the Earls of *Argyle*, *Athol*, *Tweeddale*,  
 “ *Kincardin* and *Dundonald*, the President, Register, Ad-  
 “ vocate, Treasurer-depute, Justice Clerk, or any four of  
 “ them, to meet and give proper orders for executing  
 “ the acts of Council against the *outed* Ministers, and  
 “ for preventing and suppressing *Conventicles*, and other  
 “ disturbances of the publick peace of the Church, with  
 “ power to call persons before them, committing them  
 “ to prison, and doing all things necessary for these  
 “ ends. In difficult cases they are to consult with the  
 “ Council.”

Commissioner  
on concern-  
ing Con-  
venticles.

1672. “ Council.” But I can give no account of their proceedings.

Meetings  
of Mini-  
sters.

To return then to the meeting of Ministers at *Edinburgh* 24th of *September*, when 32 met in Mr. *Thomas Hogg*’s room, and agreed that every one should declare his opinion at the next meeting. Being again assembled, Mr. *John Inglis* was chosen moderator. Then the question was put whether it was the duty of Ministers to go and exercise their ministry at their Churches? Four were of opinion that Ministers ought to go to their Churches, when they had once given their testimony against what was *wrong* in the *indulgence*; two were undetermined, and the rest present were in the negative.

When copies of the Council’s acts came to the west, there were sundry meetings; and many were for accepting of the *indulgence*, providing a sufficient testimony were given against the *erastian* part of the civil Magistrate. They all agreed, that but one Minister ought to go to one parish, except in those places, where formerly there had been two. There were great debates concerning the testimony to be given in to the state. At last Mr. *William Violant* and Mr. *Alexander Wedderburn* were appointed to draw up a paper to this purpose. They complied, and their paper after some amendments was generally liked, at a meeting held at *Irwin* in the month of *October*. I shall give the reader the following extract of it.

Grievan-  
ces as to  
the indul-  
gence.

Grievances as to the *indulgence*.

I. “ **W** E the Ministers of Jesus Christ, who have  
“ been debarr’d from our respective flocks—  
“ and restrain’d from the free exercise of our ministry  
“ these many years, do, with all thankfulness, ac-  
“ knowledge his most excellent Majesty’s royal favour  
“ in granting to some of us the publick exercise of our  
“ ministry;—yet considering the offered *indulgence* as  
“ contrived in the complex, and cast in its present  
“ mould in three acts of Council, to be clogg’d with  
“ many involvements, contrary to our principles and  
“ consciences, and with many inconveniencies as to  
“ our persons and families, and to the congregations,  
“ both



“ both from which we are separated, and to which we  
 “ are assigned, we are exceedingly straitned in our li-  
 “ berty, to accept of the same—because the whole  
 “ draught—appears to be nothing but the actual exer-  
 “ cise of *erastianism*, in so far as the Council is pleased,  
 “ not only to dispose of persons and places, but to  
 “ make application of persons to places for the exercise  
 “ of their ministry, as if it were proper to the Magi-  
 “ strate to judge of the spiritual state and condition of  
 “ the people, of the qualifications of Ministers,—and  
 “ to form and prescribe rules ;—so that the—yielding to  
 “ these acts may be interpreted an homologating with  
 “ and subjecting ourselves to *erastianism*, contrary to our  
 “ known judgments in these matters.

II. “ Tho’ we disallow all tumultuary and seditious  
 “ meetings, which the meetings of the Lord’s people  
 “ for hearing his word cannot be reputed,—we are not  
 “ a little grieved, that the narrative of this present act  
 “ seems to involve the accepters into an interpretative  
 “ condemning of the same, which we dare not.

III. “ † Albeit there be a very great necessity of a free † *al-*  
 “ call from the people,—yet the *indulgence*, as contriv- *though*.  
 “ ed, deprives the people of the liberty of a *free election*,  
 “ in so far as Ministers are design’d for them, and, by  
 “ the Councils act, peremptorily confined to the parishes,  
 “ without so much as the previous knowledge of the  
 “ people ; and so a necessity is laid upon the people,  
 “ either to call the confined, or want a Minister.

IV. “ This way offers violence to that special rela-  
 “ tion that is between pastors and people,—so that Mi-  
 “ nisters formerly, by violence, pull’d away from their  
 “ flocks,—are still kept divorced from one another, tho’  
 “ this union and relation, being made up only by Jesus  
 “ Christ, acting in and by his Church, can never be  
 “ regularly dissolved by any other authority—than that  
 “ which made it.

V. “ This—will prove grievous to the most part of  
 “ the kingdom. 1. In that their own pastors are,  
 “ without necessity, shut up from them in a corner, at  
 “ a time when *profanity*, *Popery* and *Quakerism* are—  
 “ spreading thro’ the land—2. In that the people will  
 “ have

1672. “ have several necessary duties to perform for the ac-  
 commodation and encouragement of two, which  
 “ they will judge needless, one being sufficient for the  
 “ charge.—3. It will prove afflictive to many brethren,  
 “ in that, by it, they are obtruded upon other mens  
 “ labours, without a necessity, to the detriment of the  
 “ necessary maintenance of them and their families.—  
 “ VI. “ We acknowledge that the Magistrate hath  
 “ the power of confinement, and of all other—external  
 “ punishments in *actu signato*,—but when he is to apply  
 “ that power in *actu exercito*,—we humbly conceive,  
 “ that the law of God,—of nature,—of nations, and  
 “ —of the land, requires an orderly procedure, and al-  
 “ lows the party the benefit of defence. But here  
 “ 1. This sentence contains punishment against persons,  
 “ without citations or—conviction of any crime, or  
 “ guilt, the like whereof is not done to the grossest of  
 “ ill-doers. 2. This sentence is drawn out, not against  
 “ one person or two, but against all the *Presbyterian*  
 “ Ministers in the kingdom, a very few excepted,  
 “ which makes the practice without—a precedent in any  
 “ reformed Church. 3. The acts carry not only a  
 “ *confinement* of our persons,—but of our *ministry*, and  
 “ we are hereby—bound up from the discharge of those  
 “ duties we owe to our national Church, and deprived  
 “ not only of all benefit of mutual converse—in *presby-*  
 “ *teries*, but also of more *private* communion with one  
 “ another:—all which are—the more grievous to us,  
 “ as they are † trysted at a time when *Papists* and *Qua-*  
 “ *kers* are so vigorously driving on their designs, with-  
 “ out—any real or effectual restraint put upon them.—  
 “ Tho’ we know our *confinement* will put no stain upon  
 “ us, in the account of many—people,—yet the nature  
 “ and tendency of it is weakening to the necessary re-  
 “ putation of Ministers of Christ, among the people,  
 “ in that, by the same breath Ministers are permitted—  
 “ to preach, and yet sentenced as evil doers.—And all,  
 “ who get not a call from the people,—will be exposed  
 “ to far greater difficulties and sufferings than for-  
 “ merly.—

† appoint-  
ed.

VII. “ The declaration, in the close of the first act, will prove a grievous—stroke to the peaceably disposed people of the kingdom, who have been longing for their pastors,—when by it they shall see all hopes cut off of ever recovering them again.

VIII. “ We will not fall on a particular consideration of the rules of the 2d act,—which we cannot approve of, unless we would renounce our principles.—All of them appear to be framed in favour of the *conformed* party, and to the disadvantage both of Ministers and people of the *Presbyterian* persuasion.—And as the whole draught is,—at least, an *interpretative* subjection to *erastianism*, so the fifth and last rules, but especially the fifth, thrusts us under a *direct* and *formal* subjection to *Prelacy*.——

IX. “ We shall not mention, how this is disrelished by the most part,—who—adhere to the pure government of the Church of *Scotland*; but the peremptory order, given to Sheriffs and Magistrates to enquire, how the Ministers confined and allowed to preach do observe these rules, shews, that the Ministers, who fail,—will be undoubtedly censured, according to their supposed demerits, and we, being straitned in our conscience to give obedience to these Canons, judge, it will be—provoking to the Magistrate, prejudicial to the people, and hurtful to ourselves to step in, and within a short time to be thrust out again for our contravention.”

They conclude with a humble request for the removal of the penal statutes, and for liberty, without such restraints, as are burthensom to their consciences, and inconsistent with their principles.

About the end of *October* Mr. *Gabriel Cunningham* with some others, were sent to *Edinburgh* with this paper, to see if the brethren in the east, who appeared most averse to the *indulgence*, would concur with them in it. When Mr. *Cunningham* presented it to them, they, who were against the *indulgence*, took it for a paper of reasons, why the *indulgence* should not be complied with, and so it became the subject of debate. But viewing it more narrowly, and finding that it was a

*Debates concerning a testimony.*



1672. complaint of grievances, upon the presenting of which to the Council, the complainers resolved to comply with the *indulgence*, the meeting divided upon it. They that were against the *indulgence* said, that this was but a smooth way to help forward Ministers, who were clear, to their Churches. The others complained, that the other party would not join with them in a *testimony*, against what both reckoned *sinful* in the manner of granting the *indulgence*. They who could not comply, answered, they were willing to testify jointly with them, against what evils appeared in the *indulgence*, providing all would stand out and not accept. Sundry meetings were spent in these debates. Their last meeting was the 23d of *December*, when they came to no agreement, so that the above paper was dropt. A good number of the Ministers entered into the Churches, where they had been formerly, and others, upon a call, where the congregation was vacant, with the consent of the Ministers of the bounds. And since all hopes of a joint testimony was lost, several gave it from the pulpit upon their first entrance, declaring against the *erastianism* in the *indulgence*. And some of them fell under no small difficulties on this head, as we shall relate in its proper place.

William  
Porterfield  
of Quarreltoun.

During these debates, on the 5th of *December*, *William Porterfield* of *Quarreltoun*, having been a long time in prison for his accession to *Pentland*, petitioned for liberty, on account of his indisposition, and the great poverty to which he was reduced. He was accordingly sent from *Edinburgh* prison to *Dunbarton* castle, and was suffered to go abroad in the day time upon giving bond and security under ten thousand merks to repair to the castle every night. During the last year and this, the lands of *Barjacob* and those of *Mr. Gabr. Maxwell*, the estate of *Rugland* and *Bedland* were all forfeited and transferred on account of *Pentland*.

Several meaner persons suffered during the course of this year. A poor parishioner of *Abbotsrule* was taken to be a soldier, for not hearing the *Curate*, and upon refusing, was fined in a hundred pounds *Scots*. *John Rankin*, and *James Dunlop* in *Eglisham*, *James Brown* in

in *Muirzet*, *John Fauls* in *Mearns*, were brought in prisoners to *Edinburgh*, for alledged corresponding with, and receiving of some concerned in riots upon Ministers. The Earls of *Dumfries* and *Dondonald* were appointed to examine into the Affair.

Matters were managed much the same way through the year 1673. Such was the partiality of the times to some, that though Mr. *Archib. Beeth* Curate in *Arran* had shot one *Allan Gardiner* Merchant in *Irvine*, for which he was condemned to be hanged at the cross of *Edinburgh*, yet he was pardoned, and his remission read in Council on the 9th of *January*. 1673.   
 A Curate   
 pardoned   
 for murder.

On the 6th of *February*, the Council, in consequence of a petition from Mr. *Robert Hunter* now Minister at *Borroustounness*, ordered the stipend of the parish of *Duning* for the two last years, which he served in that parish, to be paid him, and that letters of horning be directed for that effect. Hist. of   
 Indul. p.   
 54.

On the 20th of that month, they ordered the Chancellor for *Fife* and Duke *Hamilton* for the west country, to enquire what Magistrates and Councillors for Burghs had not signed the *Declaration*, and on the 7th of *March*, upon receiving a complaint, that Mr. *Row*, who had been translated from *Balmaclelland* to the parish of *Stainkirk*, was hindered from taking possession of it, ordered the cause to be enquired into, but no prosecution followed, *Row* at this time turning *Papist*.

As the 2d indulgence, of which I have given a pretty large account, was attended with no small difficulties to those who accepted of it, so it involved the rest of the ejected Ministers, who could not comply, in great distress: and some have thought, that it would have been a great happiness, had none accepted it at all, but had strenuously adhered to their *Presbyterian* covenanted principles. There were many who were named who did not, who could not comply. And accordingly, the 7th of *March* the Council resolving to force them to their confinements in those parishes allotted for them, ordered all the outed Ministers to remove five miles from *Edinburgh*, unless they immediately gave bond not to keep *Conventicles*. Protecd.   
 ings a-   
 gainst the   
 outed Mi-   
 nisters.

1673. 12th, such Ministers, as had not entred on their *confinements*, were called before the Council. There appeared Messrs. *George Waugh, Robert Young, James Kirkcoun, James Donaldson, Robert Lockhart, Mat. McKail, Pat. Anderson, Alexander Barton, James Hamilton, and William Thomson*, and were appointed to repair to their respective parishes of *confinement* by the 1st of *June* next, under the pain of being apprehended as despisers of the King's authority. Orders were at the same time given to the King's Forces, Sheriffs and Magistrates, to seize them wherever they could be found, if they did not obey this appointment. They generally thanked the Council for the time allowed them, and promised to take the matter under serious consideration. But when Mr. *Robert Young* came before them, he complained of his having been unjustly turned out of his charge by Bishop *Sharp*, and begged their Lordships to consider it. The Bishop rose up and alledged, that Mr. *Young* had been orderly and justly deposed by him and the Synod of *Fife*. Mr. *Young* offered to prove upon his peril, by the date of his sentence, that he was deposed before the Synod met. Nevertheless, the Chancellor, without taking any notice of his complaint, told him, it was the Council's pleasure he should go to his *confinement* by the 1st of *June*. He answered, that he was sorry, that such a sentence was passed, for no other reason than their pleasure, and humbly protested, that it might not prejudice him of reparation of the wrong done him by the *Bishop*, and that his obedience to the Council's pleasure should not involve him in any approbation of the *complex act* of *indulgence*. Messrs. *Robert Maxwell, John Law, William Weir, James Walkinshaw, Alexander Jamison and James Wallace* were called, but being absent, the matter was delayed.

Mr.  
Young's  
case.

Alterations in  
England.  
Rapin.

About this time, a great turn of affairs happened in *England*, by which the measures of the CABAL were disconcerted, whose great project was, as has been related, to establish *Papery* and render the King *absolute*. But soon after the Parliament met, the Commons addressed the King to recall his *Declaration*, since penal laws



laws, in matters ecclesiastical, cannot be suspended, but by act of Parliament. And perceiving his Majesty not inclined to this, they stopt their money bill. Whereupon *Charles*, being in want of money, was easily persuaded to give up his *Indulgence* contrary to the advice of the CABAL: and accordingly, on the 8th of *March*, he called for the *Declaration*, and broke the seal with his own hands. This pleased the Commons, but disgusted the CABAL. *Arlington* had in some measure deserted them before, but when *Shaftsbury* saw how unsteady the King was, he concluded, that he was not to be trusted; and so from being the head of the CABAL, he became the head of the *country-party*. Immediately after this change in the Earl of *Shaftsbury*, the Commons passed the *Test-Act*, entituled, *An Act for preventing the dangers which may happen from Popish recusants*, which having received the royal assent, most of the *roman catholick* officers quitted their places. The Duke of *York* resigned the office of Lord High Admiral, and *Clifford* that of High Treasurer. Thus the CABAL was divided. But the King adjourned the Parliament to the 20th of *October*, and from thence to the 27th, in order to defeat several bills, which were disagreeable to his Majesty.

Had the Managers in *Scotland* followed the example of the Commons of *England*, instead of prosecuting their *Protstant* brethren, at the instigation of a parcel of impious *Prelates*, religion would have flourished, and a stop had been put to the growing progress of *Popery*. It is true, a clogged *Indulgence* was granted, which many faithful Ministers could not, in conscience, comply with. But then, to gratify the Bishops, a most rigorous proclamation was emitted against *Conventicles*, requiring all Heretors, † Liferenters and \* Wadsetters to inform the Council, or the Sheriff of the shire, Steward of the stewartry, &c. of house or field *Conventicles* kept within the bounds of their respective lands, and signifying, that, if they don't give such information in three days, after the *Conventicle* is kept, they shall be fined in the fourth part of the yearly valued rent of their whole lands within the shire, where the *Conventicle* shall be kept,

*Proclamation against Conventicles.*

† They who have the Rents of Land during life.

\* Mortgagees.

1672. kept: one third part of which was for the Sheriff, and the other for the informer, and the rest for the King's use. I shall leave the reader to make his own remarks on this proclamation, which occasioned terrible oppression.

*Mr. Gillespie sent to the Base.* Two days before this, Mr. Robert Gillespie was before the Council, and owned he had kept one Conventicle in the town of *Faulkland*, but refusing to inform against any present, was ordered to be sent prisoner to the *Base*, where he continued till the beginning of next year, when he was let out for some time, on account of his health.

*A false innuendo.* On the 7th of May, a letter from the King dated the 29th of April was read in Council, signifying that the *States*, with whom he was at war, had a design to raise troubles in the west of *Scotland*, and therefore required them to suppress *Conventicles*, and secure the west-country. Upon this, letters were wrote to Duke *Hamilton*, and the Earls of *Eglington* and *Cassils*. But it is plain the King had not more loyal subjects than these, who were now persecuted, who complied with every thing, except *abjured* PRELACY, so that there was not the least ground for any innuendo's of this nature.

*29th of May not kept by the indulged.* When the 29th of May came, the Bishops got another handle for oppressing the *Presbyterian* Ministers. None of the *indulged* observed this anniversary. If indeed their week-days-sermon fell out on that day, they preached as usual, but without taking notice of that solemnity. And therefore, on the 12th of June, letters were by the Council directed against them in the shire of *Air*, *Lanerk* and *Kirkcudbright*.

*The King's letter did not please.* The same day another letter, dated the 31st of May, came from his Majesty to the Council, approving of their conduct as to the *indulged*, and requiring them to prosecute those who would not comply; and, for preserving peace and order within the diocese of *Glasgow*, to give a Commission to Duke *Hamilton*, the Earls of *Linthgow*, *Dumfries* and *Dundonald*, and the President, or any two of them, to put in execution the laws and acts of Council in relation to Church affairs, and to enquire into what disorders have been, or may be committed

mitted within that diocese, and to call before them Sheriffs, Justices, &c. who have been, or shall be negligent in executing the laws against Conventicles, deserting the Kirks, irregular baptisms and marriages, &c. When this letter was read in Council, all the members were not pleased with it, especially with the commission they were ordered to give, so that it was the end of July before a return was made, which shall be related in its proper place.

Mean while, the Council on the 19th of June recommended to the Lords of Session to grant no suspensions upon sentences passed on account of Church irregularities, that so nothing might hinder their execution.

About the end of June, Mr. *Alexander Peden*, late Minister of *New Glenluce* in *Galloway*, a man of singular piety, zeal and faithfulness, and of whom many remarkable things are recorded, was apprehended by Major *Cockburn* in the house of *Hugh Fergusson* of *Knockdown* in *Carrick*, who had obliged him to stay that night in his house. Mr. *Peden* told him, that it would be a dear night's lodging to them both. Accordingly, they were both carried prisoners to *Edinburgh*. On the 26th of June, the Council appointed the Register and Advocate to examine him. And upon their report, he was sent to the *Bass*, where he continued to the year 1678. Mr. *Fergusson* was fined in a thousand merks for harbouring and conversing with him, and the Council ordered fifty pounds sterling to be paid to *Cockburn* out of the fines, and twenty five to be distributed at his pleasure among the soldiers under his command. Mr. *Pat. Simpson* the indulged Minister at *Kilmacomb* gave him and the other prisoners a charitable supply of money, for which Mr. *Peden* afterwards thanked him.

About this time began the prosecution of the indulged Ministers for not observing the 29th of May. On the 3d of July, many of them appeared, and owned they had not observed that day, and were not clear in their own minds to keep any anniversary holy days of human institution. While they were before the Council, some of them were interrogated as to other things, besides the

Mr. Peden sent to the Bass. Walker's passages, &c.  
P. 43, 44.

Ministers appear for not observing the 29th of May.



1673. the anniversary, such as concerning their baptizing children in the parishes of *Conformists* without testimonials, or had observed the Council's instructions, which were sent them with their acts of *indulgence*; and when one of them answered, that he had not seen the instructions spoke of, he was told by the Chancellor, that that had been a neglect, but they should all see them; and accordingly, they were ordered to attend on the 8th instant for that purpose, and to receive their sentence for not observing the 29th of May.

*Hist. of  
Inaul. p.  
68.*

Mean while, the Ministers had frequent meetings among themselves, to consult how to act, when the instructions should be delivered to them. A paper was drawn up by way of *testimony*; but not agreeing to subscribe it, Mr. *George Hutchison* was appointed to speak, in the name of the rest, the sense of these impositions, in case they were intimated to them. But then some condemned their conduct, in not fixing the time, when Mr. *Hutchison* should deliver their sentiments, that being left to Mr. *Hutchison's* prudence; for they thought he should have delivered his own and the sentiments of his brethren, when ever the Council's instructions were proposed to be presented. Others again thought it was time enough when Mr. *Hutchison* himself should be called for. However, as the instructions related to them all, and as a *testimony* was judged proper against every unlawful encroachment upon the exercise of their ministry, I leave it to the reader to judge whether this should not have been delivered, before any one of their number had received them. But to come to matter of fact.

*Ministers  
fined for  
not keep-  
ing the  
29th of  
May, &c.  
Hist. of  
Indul. p.  
51.*

On the 8th of July, the following Ministers appeared before the Council, viz. Messrs. *Ant. Murray, Job. Hamilton, John Oliphant, James Curry, John Lawder, John Stirling, James Hutchison, John Eccles, Andrew Dalrymple, John Gemble, Hugh Campbell, Alexander Blair, James Veitch, John Hutchison, Robert Miller, George Ramsay, John Bell, Ralph Roger, William Tullidaff, George Hutchison, John Spalding, John Wallace* and *William Maitland*, and were all fined in the half of their stipend for the crop and year 1673, except the

three

three last, who preached on that day. But Mess. *John Crawford, John Baird and William Fullerton* not appearing, were denounced rebels. 1673.

This being done, the Lords, on the same day, ordered the instructions to be delivered openly to the Ministers present, that none might pretend ignorance. A list of them was drawn up, and every one was called in the order of the list, and asked if he had a copy of his instructions; if he had, he was dismissed, but if not, the Clerk delivered him a copy. It happened, that Mr. *Hutchison's* name was towards the end of the list, and he not offering to speak, till his name should be called, some began to question, whether he would speak at all, and therefore resolved to speak for themselves. *They received their instructions.*

Accordingly, when the Clerk delivered the paper to Mr. *Alexander Blair* Minister at *Galguncun*, he, being moved with zeal, and remembring whose Ambassador he was, told the Council plainly, that he could receive no instructions from them, to regulate him in the exercise of his ministry, otherwise he should not be Christ's Ambassador, but *theirs*, and then he let their instructions drop out of his hand, knowing no other *salvo* or manner of *testifying* for the truth. This plain dealing so exasperated them, that they immediately ordered him to be committed to prison, where he continued till near the end of the year, when, by reason of his sickness, he was let out, upon finding security in the penal sum of 5000 *merks*, that he should re-enter in a month's time; but his indisposition continuing, his liberty was lengthned for another fortnight; but before that expired, his glorious Master sent and rescued him from the rage of his persecutors, and the reproaches of his deserting brethren; and the sound of *Well done, good and faithful servant*, filling his ears, made him shut his eyes singing, and give up the ghost with joy, and in full assurance of faith. *Mr. Blair's case. Hist. of Lut. p. 52, 53.*

Sundry of his brethren look'd upon his testimony as unseasonable; but, whether it had not been better for them all to have unanimously join'd him in the same open and free declaration, must be left with the reader.

1673.

When Mr. *Hutchison* was call'd, he discoursed concerning the difference between the *Civil* and *Church* government, and their different powers formal and objective, intrinsic and extrinsic, and endeavour'd to qualify what Mr. *Blair* had said. But, it is plain, that they who could not comply with the *indulgence*, never questioned the Magistrates *lawful* authority. After Mr. *Blair* was imprisoned, Mr. *Hutchison* and some others went to the Chancellor and other Counsellors, and spoke to the same purpose with him, and begg'd favour for him; but that was not granted; for the Chancellor told them, it was not the matter, but the manner of his speaking that had irritated them.

Other Ministers fined.

On the 10th of *July*, Masters *John M'Michan* of *Dalry*, *John Semple* at *Carpsbairn*, and *John Cant* of *Kells* were fined for not observing the *anniversary*.

A kind of remittance.

On the 25th the Commission to the five persons mentioned in the King's letter of the 31st of *May* was agreed upon, and the Council at the same time wrote to his Majesty signifying, "that they had granted the Commission appointed; but humbly proposed that his Majesty would consider, whether the right settling the affairs of the Church and publick peace in the diocese of *Glasgow*—be proper to be left in the hands of so few." It was some time before they had a return.

More Ministers fined.

Mean while, on the 31st they fined Masters *John Scot* at *Osnam*, *James Fletcher* at *Newthery*, and *Robert Mowat* at *Herriot*, as above, for not keeping the 29th of *May*.

Mr. Wedderburn.

The same day Mr. *Andrew Wedderburn* (it was perhaps Mr. *Alexander*) was committed to prison, because he had confess'd that he had preach'd and pray'd in his own house, several being present, besides his own family, till he either found security under 5000 merks, not to keep another *Conventicle*, or take upon him a voluntary banishment. However, in about a month's time, they order'd him to be confin'd to the town of *Kilmarnock*.

Mr. Weir. History of indulgence, p. 41.

On the said 31st of *July*, they order'd a party of the guards to bring in Mr. *William Weir*, (page 87.) the *indulged* Minister at *Westcaldar*, prisoner to the Tolbooth of *Edinburgh*; because, for satisfying his



his own conscience, he receiv'd a call from some of the heritors and people. In his first sermon he declared his adherence to the SOLEMN LEAGUE and COVENANT, and did not acknowledge the power either of King or Bishop, in matters belonging to the Church of Christ. In short, he preach'd against the *supremacy*, *prelacy* and *anniversary* holy days of human appointment. This plainly shewed, that the Council, by their act of *indulgence*, aim'd, among other things,, at the establishment of the *supremacy* and *prelacy*; so that the very speaking against these things was judged criminal. How far then they who kept silence are to be justified, I leave with the reader. Mr. *Weir* soon after this went to *Ireland*, where he continued till 1687, when he was call'd to his former charge at *Linlithgow*, where he remained till his death in *July 1695*.

The Gentlemen formerly mentioned, as *Kerland*, *Blaiket*, *Quarreltoun*, *Bedland* and others, imprisoned for *nonconformity*, were, this year, continued in their prisons. But the severity against Sir *Andrew Kennedy* of *Clowburn*, after the revolution Lord *Conservator* in the *Low-countries*, is not to be omitted; for on the 20th of *August*, he was, by a sentence of Lords Justiciary, denounced a rebel, ordained to be † put to the horn, and † outlaws-  
his moveable goods confiscated for his Majesty's use. *et.*  
The sentence bears, that Mr. *Robert M-Vaird* late Minister at *Glasgow*, Mr. *Robert Trail* at *Edinburgh*, Mr. *John Livingston* at *Ancrum*, Mr. *John Brown* at *Wamphra*, and others, having retired to *Holland*, had contrived most treasonable designs against his Majesty's person and government, and for involving their country in the calamities of a civil war; and, in order to this, had composed sundry seditious books and pamphlets, as *Naphtali*, *Jus populi vindicatum*, and sent them to be dispersed through the country, to confirm those of their own principles, and seduce others, that they stir'd up the States to make war against the King; had sent home or endeavoured to send home arms, &c. had kept correspondence with disloyal and seditious persons; among whom the said Mr. *Andrew Kennedy* was employed, that he had received and dispersed the said books, &c. kept

1673. correspondence with them, and otherwise promoted their designs, and so was accessory to the crimes of treason, and was in absence sentenced as above. The reader is here to observe, that this sentence was grounded on notorious falsehoods; for the Ministers, above-mention'd, never stirr'd up the States to war, nor promised the least assistance in *Scotland*. And tho' some of them were the authors of the books mentioned, yet the books speak for themselves; and what is said concerning Mr. *Kennedy's* dispersing these books is absolutely false.

Gentlemen  
fined.

Many were the exorbitant fines that were imposed upon Gentlemen in the shires of *Dumbarton*, *Lanerk*, *Air*, *Galloway*, *Dumfries* and *Renfrew*. To give the reader a specimen of the oppressions of some of the King's best subjects, merely for *nonconformity*, I shall in this place subjoin an account of the fines imposed on some Gentlemen in the shire of *Renfrew* alone. Thus

|                                                                            |                 |                                           |                 |                               |                |        |           |           |           |
|----------------------------------------------------------------------------|-----------------|-------------------------------------------|-----------------|-------------------------------|----------------|--------|-----------|-----------|-----------|
| Sir George Maxwel of Newark for three years absence from his parish-church | 31200 <i>l.</i> | For a weekly Conventicle during that time | 62400 <i>l.</i> | For three disorderly baptisms | 1200 <i>l.</i> | making | <i>l.</i> | <i>s.</i> | <i>d.</i> |
| in all                                                                     | —               | —                                         | —               | 94800                         | 0              | 0      |           |           |           |
| The Laird of Douchal, now Porterfield, for the like atrocious crimes       |                 |                                           |                 | 84400                         | 0              | 0      |           |           |           |
| William Cunningham of Carncurran                                           |                 |                                           |                 | 15833                         | 6              | 8      |           |           |           |
| John Maxwel of Dargavel                                                    | —               |                                           |                 | 18900                         | 0              | 0      |           |           |           |
| John Brisbane of Freeland                                                  | —               | —                                         |                 | 3900                          | 0              | 0      |           |           |           |
| Gavin Walkinshaw of that ilk                                               | —               |                                           |                 | 12429                         | 0              | 0      |           |           |           |
| Sir George Maxwel of Nether-pollock                                        |                 |                                           |                 | 93600                         | 0              | 0      |           |           |           |
| Matthew Stewart in Merns                                                   | —               |                                           |                 | 6399                          | 0              | 0      |           |           |           |
| John Pollock of Falside                                                    | —               | —                                         | —               | 3510                          | 0              | 0      |           |           |           |
| James Hamilton of Langtoun                                                 | —               | —                                         |                 | 18427                         | 0              | 0      |           |           |           |
| Mr. James Pollock of Balgray                                               | —               |                                           |                 | 15833                         | 6              | 8      |           |           |           |

Sum 368031 13 4

This sum in *English* money amounts to above 30669*l.* a monstrous sum to be imposed upon eleven persons in one shire; and had the whole been levied, the Gentle-  
men

men must have been ruined. There was a composition made, and they were greatly harrafs'd till it was exactly paid. My author could not give the date when these fines were laid on ; but as this was the third year since they were enacted by the parliament, he inserts them in this place. And as the facts are certain, so the reader may judge of the mildness of that happy government !

These hardships and severities open'd the eyes of several Ministers who had *conformed*, to *prelacy*, to see the evil of their way. We related the conduct of the two excellent brothers, Masters *Alexander* and *John Carmichael* page 316. This year the reverend Mr. *Thomas Forester* Minister at *Alva*, and after the revolution Professor of divinity at *St. Andrews*, having had, for some time, several difficulties in his own mind concerning *conformity*, abandoned *prelacy*. He had ever since the beginning of this year deserted their meetings. And therefore on the 7th of *August*, the Clerk of the Presbytery of *Stirling*, by their order, sent him a letter, finding fault for his non-attendance, and ordering him to attend at their next meeting the 26th. To which Mr. *Forrester*, in a letter, gave in his reasons why he could not attend ; as, “ 1. Because it was evident, by “ the then standing acts relating to religion and church “ government, that all power or jurisdiction in the “ Church or its assemblies was fountain'd in, derived “ from, or ultimately referable into the Magistrates “ *civil power*, which, says he, I judge to be contrary “ to the word of God, the confessions of reformed “ Churches, and our own Churches judgment ; conse- “ quently the keeping of the meetings (a badge of the “ acknowledgement of the lawfulness of this frame) to “ be unlawful ; this frame of Church government be- “ ing clearly proved unlawful by such as have writ- “ ten against *erastianism*. 2. Because I find, since our “ first reformation, several oaths, vows, and solemn “ engagements upon this Church and Nation, against “ the *prelatick* frame of government, the obligation “ whereof I could never find convincingly disproved ; “ but upon some search am perswaded that the same are “ still binding on the nations and posterity. 3. Upon “ some

Mr. Fo-  
rester re-  
nounced  
prelacy.



1673. " some search into the controversy of Church-govern-  
 " ment, I have, for a considerable time, entertain'd the  
 " persuasion of the unlawfulness of the *prelatick* frame,  
 " as contrary to the prescriptions set down in the word.  
 " If these foundations hold, the unlawfulness of the  
 " meetings cannot be questioned, and so long as I am  
 " thus persuaded, I cannot attend upon them in faith."

These reasons he enlarged, illustrated, and abundantly confirmed in a long paper, which he sent to *the brethren of the exercise*, which the reader will find in *Wodrow's* appendix to book II. N<sup>o</sup> 66. which I cannot insert in this place. Mr. *Forester* was, upon this, obliged to quit his charge at *Alva*. Then he join'd the persecuted *Presbyterians*, and preach'd, or, according to the dialect of these times, *kept Conventicles*, as he had occasion, which brought upon him the rage of the persecutors, as shall be related in the course of the following year.

*Proceed-  
 ings on the  
 King's let-  
 ter.*

On the 3d of *September*, the Council had a letter from his Majesty, wherein he complains that the *outed* Ministers had not been cited in the terms of his letter of the 31st of *May*; and tells them, that the power of the five proposed was not at all privative of the Councils power. In short in the close, the Commission was dropt, and the Council warn'd to take special care of the diocese of *Glasgow*. Several were pleased with this, and immediately all the *ejected* Ministers in and about *Edinburgh* were called to hear their sentence, to repair to the parishes of their *confinement*. And power was given to the Chancellor and Earl of *Atbol*, to commission whom they pleased, to apprehend all who had been at *Field-conventicles*, and either send them to *Edinburgh*, or oblige them to find security for their appearance.

Next day those *ejected* Ministers, who had no particular parish assign'd, were ordered to repair to such parishes, as should be named by the Council. Accordingly Mr. *John Park* was ordered to confine himself to the parish of *Kilmawers*, Mr. *John Knox* to *West-calder*. Masters *Robert Fleming*, *Thomas Hogg*, *John Lidderdale*, and *Alexander Hutchison*, not appearing, were ordered to be apprehended, wherever they should be found. And

on

on the 30th of *September*, a sentence was pass'd against all the *ejected* Ministers, who had not accepted the *indulgence* (except two or three, who made some excuse) and they were ordered to be denounced; and particularly on the 6th of *November*; this was the case with *Matters William Mein, James Donaldson, and William Creighton*. But *Matters James Kirkcoun, Robert Lockhart, John Wauch* and *Thomas Melvil* were excused.

1673.

But the Ministers, who continued in the country, and could not comply with the Councils orders, were brought to no small difficulties. About eight or ten of them met together, and drew up the reasons of their non-compliance, among whom was the reverend Mr. *John Burnet*, Minister at *Kilbride* near *Glasgow*, who, being summon'd before the Council, could not appear on account of his bodily indisposition. Nevertheless he thought it his duty to give an open and plain account of his reasons to the Council, and therefore drew them up in writing to be presented; but tho' his sickness prevented this, yet he sent the paper to the Chancellor without altering its form or stile: But as he left it as his *testimony*; for he died about the end of this year, I shall give the reader a large extract of it from the *History of INDULGENCE*, where it is fully recorded. It is as follows.

Conduct of  
other Mi-  
nisters.

Of Mr.  
Burnet.

“ **B** EING called before his Majesty's Privy Coun-  
cil, to give an account of the reasons, why I  
have not accepted of this present *indulgence*—I shall  
premit these things briefly. 1. That it is well known,  
—that the constitution and government of this—  
Church of *Scotland*, for many years, and particularly  
in the year 1660, was framed according to the word  
of God, confirmed by many—laws of the kingdom,  
and solemnly sworn to by all ranks within the same.  
2. It is also found,—that this antient and *apostolick*  
government is wholly overturned in its very *species*,  
and kind—by the introduction of *lordly prelacy*.—  
3. The sad effects of these things are conspicuously  
apparent on the face of the Church this day, such  
as involving the land in great backsliding and defection;  
the abounding ignorance and atheism,—the in-

Mr. Burnet's reasons against the indulgence,  
P. 42, &c.

“ create

1673. {crease of *popery* and *error*,—the sharp sufferings of  
 many of his Majesty's loyal subjects, &c. 4. Whatever  
 power found—divines acknowledge the Magistrate to  
 have,—in a troubled and extraordinary state of the  
 Church, yet it is not yielded,—that he may, any  
 ways, alter its warrantably *established* government,  
 and so turn that same troubled and perplexed state of  
 the Church, made so by *himself*, to be the subject of  
 his magisterial authoritative care and operation.  
 5. That I be not mistaken, as denying to his Majesty  
 his just power in ecclesiastick matters; I,—with great  
 alacrity, acknowledge, that the Civil Magistrate hath  
 a power *circa sacra*, which power is objectively ec-  
 clesiastick; so as he, by his royal authority, may  
 enjoin, that *whatsoever is commanded by the God of*  
*heaven, may be diligently done for the house of the God*  
*of heaven*; which power also is by God's appointment  
 only cumulative and auxiliary to the Church, not  
 privative nor destructive, and is to be exercised al-  
 ways in a civil manner. As to the reasons of my not  
 acceptance—They are  
 I. That our Lord Jesus Christ, mediator, the King  
 and lawgiver of his own Church, hath committed all  
 ministerial authority, for government of his house, to  
 his own Church Officers, as the first proper subject  
 and receptacle of it. *John* xx. 21. *Matt.* xxviii.  
 18, 19, 20. *2 Cor.* x. 8. But—the act explanatory  
 of his Majesty's *supremacy* in the Church (whereupon  
 the act of *indulgence* is grounded) doth not only  
 claim the power to belong of right to his Majesty  
 and his successors, as an *inherent privilege* of the  
 crown, but doth actually also *invest* him with the for-  
 mal exercise thereof in his own person, and that—  
 he may convey it to others, as, in his royal wisdom,  
 he shall think fit; for his Majesty is pleased to de-  
 sign and make application of Ministers to congrega-  
 tions; and that, without the previous call of the  
 people, and power of the *presbytery*,—to frame and  
 prescribe ecclesiastical rules, relating to the exercise  
 of the ministerial office, and appoint a Commission to  
 plant and transplant Ministers, as they shall think  
 fit,



“ fit, notwithstanding it hath been unanswerably evinced, that *presbyterian* government is founded on the word of God, and confirmed otherwise abundantly.

“ II. Altho’ I freely—condemn all—seditious meetings (among whom it is sad,—that the *peaceable meetings* of the Lord’s people for worship—should be reckoned) yet I am so convinced—of the Lord’s blessing attending the preaching of the gospel, though *not in a Parish-church*, that I judge the narrative of the first act to go near to involve my acceptance of this *indulgence*, as being an interpretative condemning of the *said meetings*.

“ III. There is a standing relation between me and another flock, over which I was set by the appointment of Jesus Christ in his word, which tye can never really be dissolved by any other power, than that which, at first, did make it up and give it a being. And after I had ten years, during the *English* usurpation, wrestled in opposition to *Quakers* and *Independents*,—I was, without any *ecclesiastick* sentence, thrust from the publick exercise of my ministry in that place, where there will be 1200 examinable persons, of which there were never 50, to this day, who have subjected themselves to *him*, who is called the *regular incumbent*. —Now what a door is hereby opened to error, atheism and profaneness?—And what a grief must it be to those to have their own lawful pastor shut up in a corner?—Or how can any new relation subsist between another flock and me, by virtue of an act of a mere *civil* judicature? Besides the people, in whom I have present interest, are utterly rendered hopeless by a clause in the end of the first act, *That the indulgence is not hereafter to be extended to any other congregation than those mentioned in the act*, whereof they in that parish are none.

“ IV. Though I will not—debate the magistrates sentence of *confinement*, yet—there are so many things attending the *application* of it to my person, that it cannot be expected, I should give that obedience to it, which might infer my own consent or approbation; for 1. This *confinement*—is a very sharp pu-

1673.

“ nishment, as it is circumstantiate. 2. All punishments  
 “ —ought to relate to some cause or crime, and cannot  
 “ be done arbitrarily without oppression, *Acts xxv. 27.*  
 “ —yet I am sentenced and sent, in fetters, to a con-  
 “ gregation, without so much as being charged with any  
 “ crime. 3. If my *confinement* relate not to any crime,  
 “ it must needs relate to a *design*, viz. that I should  
 “ preach, &c. wholly at the appointment and disposal  
 “ of the Civil Magistrate.—Now this design, however  
 “ closely covered, I dare not, in conscience, yea, I  
 “ cannot (with the preservation of my—principles)  
 “ concur with, or consent thereto. 4. By the confine-  
 “ ment, I am put to an open shame before the world,  
 “ and particularly in that place, where I am permitted  
 “ to preach the Gospel; for what weight can my  
 “ preaching or ministerial acts of discipline and govern-  
 “ ment have, while I myself am—dealt with as a ma-  
 “ lefactor and transgressor, a rebel or traitor to my  
 “ prince and nation? Or how can I preach—against  
 “ the sins of the times,—while the sword of the Magi-  
 “ strate is continually at my throat?—5. This confine-  
 “ ment is not simply or mainly of my person—but it  
 “ is of the *office itself*,—while it is not of me alone, but  
 “ of all the *presbyterian* Ministers in *Scotland*, a very  
 “ few only excepted; and while the propagation of the  
 “ gospel is hereby manifestly obstructed, we are cut off  
 “ from the discharge of many necessary duties, we owe  
 “ to the Church and nation,—while she is in hazard to  
 “ be swallowed up with a swarm of *Jesuits*, *Quakers*,  
 “ &c. and while three parts of the kingdom are groan-  
 “ ing under the want of the word, faithfully preached,  
 “ and some few shires in the west, are made, as it were,  
 “ the common jail of all the Ministers, that are permit-  
 “ ted to preach. By this *confinement* I lose an essential  
 “ part of my ministry, which is the exercise of juris-  
 “ diction and Church-government—a principal part of  
 “ which is *ordination*, for preserving a succession of  
 “ faithful men in the Church.—

“ V. As for the permission—I have to preach when  
 “ confined,—while I look on it abstractly,—it is a very  
 “ great favour:—but take it without the previous call

“ of

“ of the people, the authority and assistance of a *presby-*  
 “ *tery*,—and without *the exercise of discipline and go-*  
 “ *vernment*,—it is lame. Again take it with the *confine-*  
 “ *ment*, and other clogs and caveats contained in the 2d  
 “ act, &c.—I have it to consider, whether this my per-  
 “ mission be not putting my neck under a heavier yoke  
 “ than—before.

“ VI. The last reason, for brevity, is from the de-  
 “ pendance this act—of *indulgence* hath upon the late  
 “ explanatory act of his Majesty’s *supremacy*, when—  
 “ the estates of parliament—declare, that his Majesty  
 “ hath the supream authority and supremacy over all  
 “ persons, and in all causes ecclesiastick within this  
 “ kingdom;—that by virtue thereof, the ordering and  
 “ disposal of the external government of the Church  
 “ doth properly belong to his Majesty and his successors,  
 “ as an *inherent right of the crown*; and that his Ma-  
 “ jesty and successors may settle—such constitutions, &c.  
 “ concerning the external government of the Church,  
 “ and the persons employed in it; and concerning all  
 “ ecclesiastical meetings and matters,—as they, in their  
 “ royal wisdom, shall think fit. Again,—the particu-  
 “ lars of the act of *indulgence* are of the same nature  
 “ and kind, with the articles explanatory of his Maje-  
 “ sty’s *supremacy*, *viz.* to settle, enact, emit, acts and  
 “ orders, concerning matters, meetings and persons ec-  
 “ clesiastick, according to their royal pleasure.—The  
 “ rules and instructions, for limiting Ministers in the  
 “ exercise of their office,—are such, as I declare, I can-  
 “ not accept of them, or any other favour whatever,  
 “ upon such terms and conditions; because they con-  
 “ tain the down-right exercise of *erastianism*.—

He concludes with an earnest desire, that God would  
 put it in the King’s heart, to grant Ministers liberty, to  
 make full proof of their ministry, that they might have  
 an opportunity to shew that *that* government, which  
 Christ has appointed, doth well consist with the Magi-  
 strates civil government in the state; and that *presbyte-*  
*rian* Ministers may have access to his Majesty, for re-  
 presenting just grievances.



1673.




The eight or ten Ministers drew up their reasons why they could not comply with the Councils orders, but their paper was never presented; and as it is to the same purpose with Mr. Burnet's, I shall not give an extract of it. The reader may find it in the *history of indulgence*, p. 48, 49, 50, 51. It was subscribed by *Hugh Smith, John Burnet, Robert Fleming, John Blackader, David Hume, Alexander Jamison, George Campbell and Daniel Cargil*. Mr. Burnet was a Minister of great solidity and learning. And, says my author, though he had no freedom to fall in with the *indulgence* himself, yet he both heard the *indulged* Ministers, and press'd his people of *Kilbride* to do so likewise, where he had been singularly useful in reclaiming *Quakers* and *Separatists*. He died in great peace and full assurance 22d of *December* this year. The last words he was heard speak, were *glory, glory, glory*.

*Proceed-  
ings in  
England,  
Rapin.  
V. II.  
p. 672.*

We have hinted a little concerning the proceedings of the *English* Parliament, which had been adjourned to the 27th of *October*. On the 31st the commons went in a body, and presented a dutiful address against the Duke of *York's* marriage with the princess of *Modena*. But not receiving any satisfying answer, they proceeded further, and voted the standing army a grievance, and prepared an address accordingly. But, on the 4th of *November*, when the Commons were to present it, the King came unexpectedly to the house of Peers, and sent for them. It happened, that the Speaker and the Usher of the black-rod met both at the door of the house; but as the Speaker was within, the door was immediately shut against the Usher. The Speaker was forced into the chair, and while the Usher continued knocking, the house voted, 1. That the alliance with *France* was a grievance. 2. That the evil Counsellors about the King were a grievance. And 3. That the Duke of *Lauderdale* was a grievance, and not fit to be trusted or employed in any office or place of trust. Upon which there was a general cry, to the question, to the question! But the black-rod continuing knocking, the Speaker leap'd out of the chair, and rose in great confusion. When the Commons went to the house of Lords,

the

the King prorogued the Parliament to the 7th of *January*. During which prorogation, the Duke of *York's* marriage was consummated on the 21st of *November*. 1673. 

The Duke of *Lauderdale*, being thus voted a grievance by the Commons of *England*, made the best of his way to *Scotland*, where, in the month of *December*, he held his fourth session of Parliament. When the Parliament was opened, the King's letter was read, desiring their assistance in carrying on the war with *Holland*, and assuring them of his affection in very kind words, and likewise told them, "That one of the principal reasons of keeping this session of Parliament is, that effectual courses may be laid down, for furnishing and curbing the insolent *field-conventicles* and other seditious practises,—and that if fairness will not do, force must compel the refractory, to be peaceable and obey the law." The Duke seconded the letter with a speech to the same purpose; but providence interposed, so that no new laws were made, in this session, against the *Presbyterians*; for the Duke soon found, that a strong party was formed against him; for when it was moved "that a Committee be appointed to draw up an answer to his Majesty's letter, Duke *Hamilton* moved that the state of the nation might, *first*, be considered, in order to the redress of grievances, some of whom he mentioned. And then, according to consent, about twenty members, one after another, spoke to several particulars. Some mentioned the salt, others the tobacco and the brandy: Some complain'd of the administration of justice, and others of the coin." In short, warm debates arose. And when the Commissioner appeared with some briskness for a supply to his Majesty, one of the members ask'd, *whether this was a free Parliament or not?* Sir *Patrick Hume* of *Polwart*, and several other Gentlemen, spoke with great freedom and plainness. So that now *Lauderdale* had the mortification, to find himself voted a *Grievance* by the Commons of *England*, and his measures opposed in *Scotland*, and therefore he had no other shift but to adjourn the Parliament.

Session of  
Parliament.

Burnet,  
P. 363.

About this time, a breach happened between *Lauderdale* and Dr. *Burnet*, afterwards Bishop of *Sarum*, the effect of

1673. of which was, that the Doctor, in the year 1675, turned informer against the Duke, in the house of Commons. But I now go on to

## C H A P. X.

*Of the state and sufferings of the Presbyterians during the Years 1674 and 1675.*

1674.

THE managers in Scotland still persisted in prosecuting the *nonconformists*, so that many of them were forced to wander from place to place to avoid the fury of their oppressors. *Lauderdale* stood his ground, notwithstanding all the attempts made against him. But I shall relate the transactions, as near as possible, in the order of time in which they happened.

Mr.

M'Kail.

On the 8th of *January* Mr. *Matthew M'Kail*, Minister at *Bothwell* was let out of prison, where he had been for some time; but, refusing to engage not to preach, was confined to the parish of *Carlouk*, and a bond was given for his appearance when called. He had preach'd to upwards a thousand people in the fields, in the year 1669, from *Isa. xxxii. 5*. But though that sermon made great noise, yet it don't appear he was troubled for it.

Parliament further prorogued.

Grievances drawn up by the synod of Glasgow.

On the 25th of *January* the Parliament was further prorogued to *March*. The Bishops had conceived great hopes, of accomplishing their designs at this Parliament; and for this end many things were collected, as grievances to be laid before the house; particularly in a paper drawn up by the synod of *Glasgow* in *October* last, viz. 1. That Conventicles still abounded more publickly and avowedly than ever, and that by some, who never entered upon trials before any Church judicatory, which, by the way, was FALSE; for Masters *Maxwel*, *Crawford*, *Wodrow*, *Corbet*; and others mentioned, were examined and licensed by *presbyterian* Ministers, according to the acts of general assemblies. 2. That the *indulged* Ministers did not observe the Councils rules. 3. That meeting-



1674.

meeting-houses were erected. 4. That in one of them at *Kilfyth*, the preacher curs'd the King, his Council, and all the royal family; *but had that been true, 'tis surprizing, the preacher was not laid hold on; the managers not being us'd to let such affronts slip through their fingers.* 5. That the tutors of noblemen and gentlemen's sons were ill principled, and poisoned their pupils. 6. That *Conventicles* and *indulged* Ministers preach'd *sedition.* 14th — The 29th of *May* not observed. 15. Several horrid crimes were, *say they*, committed at *Conventicles*, as incest, bestiality, murder of children; besides frequent adulteries, and other acts of wickedness. *But this is altogether calumnious*, and may put us in mind of the reproaches, cast upon the meetings of the primitive *Christians*, by their virulent persecutors. From such innuendo's as these, that vile pamphlet, entitled, *The spirit of Popery speaking out of the mouths of fanatical Protestants* was published some years after this, but was sufficiently answered, and the lies and forgeries contained in it, abundantly detected by the reverend and learned Mr. *Matthew Crawford.* The 16th and last grievance they mention, was the increase of *Popery*; *but that gave them but little uneasiness.* As for some of these things, they were owned by the sufferers, as practices upon which they did suffer, and what they judg'd consonant to their principles. Whether these grievances were presented I know not; but if they were laid before the Commissioner and Council, yet the proceedings at this time in *England*, and the difference between the two Dukes in *Scotland*, prevented the gratification of the persecuting Clergy at this juncture.

As soon as the prorogation of the Parliament was known, Duke *Hamilton* and others went to court, to lay before the King the *Grievances* of the nation. Religion was overlooked by *both parties.* And though the King blamed *Hamilton*, for raising heats in the Parliament, yet he dismiss'd them with promises, that it should sit in *March*, and all their grievances be considered. Accordingly they all hasted home, but when they were met, *Lauderdale* produced a letter from his Majesty, adjourning them till *October.*

Mean

1674.

Mr. James  
Mitchel  
taken.

Mean while, about the beginning of *January*, Mr. *James Mitchell* (p. 268.) was discovered and apprehended by Sir *William Sharp* and two of his brothers servants, and was, by the Chancellor's order, made close prisoner. On the 10th of *February*, he was examined by the Lord Chancellor, Lord Register, Lord Advocate, and Lord *Haltoun*, and denied the assassination of the Archbishop; but being taken apart by the Chancellor, he confess'd, having got assurance of his life, that it was he who shot the Bishop of *Orkney*, but that he aim'd at the Archbishop. Lord *Haltoun*, in a letter to the Earl of *Kincardin*, said, that he thought his punishment would be the loss of his hand, and perpetual imprisonment in the *Baſs*. On the 12th of *February*, he was examined before the Council, but said nothing but what he had said before the Committee. He was then remitted to the justice-court, to receive his indictment and sentence; to have his right-hand cut off at the cross of *Edinburgh*, and the forfeiture of his goods and posterity, which last part was not to be executed, till his Majesty be acquainted; because, says Lord *Haltoun* in a second letter to *Kincardin*, assurance of life was given him upon his confession.

On the 16th of *February*, he wrote a large letter from prison to a friend, vindicating his practice, and owning the principles upon which he went.

Mr. For-  
rester.

But while this affair was on the carpet, the Reverend Mr. *Forrester* (p. 341, 342.) was apprehended by the Magistrates of *Stirling*, for preaching in private families in that town; for which good service, the Magistrates had a letter of thanks from the Council, and had blanks sent them, that they might fill them up with names, and with the charges they were at, to bring in whom they pleased to *Edinburgh*, whither Mr. *Forrester* was carried under a guard, and where he continued till the indemnity in *March*, when he was set at liberty.

Mitchel  
before the  
Lords.

But to return to Mr. *Mitchel*: On the 2d of *March* he was brought before the Lords of Justiciary, and indicted for being concerned in *Pentland*, and for the attempt on the Archbishop of *St. Andrews*. But he pleaded not guilty, and insisted that the things alledged against him

him should be proved. The Lords postpon'd the affair till the 25th.

1674.

Mean while, *March* the 12th, the Council made an act, in which it was specified, that Mr. *James Mitchell* "confess'd his firing the pistol at the Archbishop of St. Andrews; upon assurance given him of his life, by one of the Committee, who had a warrant from the Lord Commissioner and secret Council, to give the same; and therefore did freely confess, &c." In the said act, which my author has inserted p. 376. it was declared, that, on account of his refusing to adhere to his confession, the promises made to him were void, and that the Lords of justiciary and jury ought to proceed against him without any regard to these.

Act of Council.

The 19th several who were imprisoned at *Edinburgh* for disorders (*Church-irregularities*, perhaps) were given by the Council to Captain *James Hay* to be recruits to a regiment, he was concerned with in *France*.

About five days after this, *Lauderdale* complimented the nation with an act of indemnity from the King. But though it was of little service, on account of the many limitations and restrictions, wherewith it abounded, yet the common people look'd upon it as an encouragement for the future, as well as a remission for what was past, in their following *Conventicles*, which was the real cause of their taking so much liberty at this time. However, when *Lauderdale* went to court, he laid all the blame of these upon Duke *Hamilton* and his party, which occasioned many letters to the Council in order to suppress them.

Act of indemnity.

Next day Mr. *Mitchell* was brought before the justiciary, but as there was no proof against him, but his own confession, they, with the consent of the † Advocate, protracted the affair, and remanded him to prison.

† the same as Attorney General in England.

On the 26th of *March*, Mr. *Forester*, *Thomas Lennox* and some others, were set at liberty, possibly in consequence of the indemnity. And the same day *William Porterfield* of *Quarreltoun* (page 255, 330.) got his confinement changed from *Dumbarton* to *Paisley*, with liberty to walk abroad.

Mr. Forester, &c.



1674.

But though the state had indemnified Mr. *Forester*, yet the Prelates and their underlings renewed their attacks upon him. And accordingly the diocesan synod of *Dunkeld* pass'd a sentence of *deposition* against him on the 29th of *April*, which was confirm'd by the Bishop on the 4th of *May*. The curious reader will find his judicious remarks on this sentence, and on the Bishops ratification, in my author's appendix, N<sup>o</sup> 66, to which I must refer him.

*Proceed-  
ings in  
England,  
Rapin,  
Vol. II.  
p. 673.*

But it seems necessary, just to mention some of the proceedings of the house of Commons in *England*, who discovered, at this time, a laudable zeal against *Popery* and *arbitrary power*. The *English* parliament sat down on the 7th of *January*; and the lords presented an address, praying the King to issue out his royal proclamation, requiring all *Papists* and reputed *Papists* to remove out of *London* and *Westminster* during the session of parliament. Next day, both houses joined, in an address, for a general fast, to implore God's blessing against the efforts of *Popery*, &c. The *Commons* likewise proceeded against the remaining members of the *CABAL*, viz. *Buckingham*, *Lauderdale* and *Arlington*. It is sufficient, for my purpose, to observe, that they unanimously voted, that an address should be presented to his Majesty, to remove the Duke of *Lauderdale* from all his employments, and from his Majesty's presence and Councils for ever, *being a person obnoxious and dangerous to the government*. These and such like addresses were very disagreeable to his Majesty, who could not be pleased to see every part of his conduct so strictly examined: Besides, he was obliged, for want of the sinews of war, to make peace with the *Dutch*, which he communicated to the parliament on the 11th of *February*. However, the *Commons* still proceeded on their grievances; but the King, to defeat their designs, came to the house, and prorogued them to the 10th of *November* following, before any bill was ready for the royal assent.

*Parliament dis-  
solved.*

But, notwithstanding all their proceedings, *Lauderdale* still continued in favour; and not regarding the vote of the *Commons* of *England*, he went to court after the last pro-

prorogation of the parliament of *Scotland*, and tho' Duke *Hamilton* followed him, and spoke freely to his Majesty concerning him; yet the King still carefs'd *Lauderdale*, infomuch, that on the 19th of *May* a proclamation was issued for dissolving the parliament. The reason given was, the peace lately concluded with the *Dutch*. But the truth is, *Lauderdale* plainly perceived that he durst not venture upon any more *Scots* parliaments, neither was there any for several years.

About the end of *May*, he got the Privy-Council modell'd to his mind. *Tweeddale*, *Queensberry*, *Yester*, *Dumfries*, *Roxburgh*, and some others were turned out; and *Kinghorn*, *Mar*, *Wigtoun*, *Collingtoun*, *Craigy*, *Ross* and others, put in their places. Duke *Hamilton* himself was kept in, but as he was never much in favour, he very seldom attended. Besides, the King, out of his great regard for the Commons in *England*, sent a very long letter to the Council in *Scotland*, which is recorded in the registers, approving of all *Lauderdale*'s proceedings, so that he still carried all before him.

The new modell'd Council sat down on the 4th of *June*. But an incident happened that day, which made no small noise. As *men* were not safe, to give in any petitions to the Council, so a considerable number of *women* resolved to appear for the *persecuted* cause. Accordingly, when the Counsellors came up, they found the parliament-close almost fill'd with women. The Archbishop stuck close by the Chancellor, being in no small pannick at this *female-assembly*. Some of the women called him *Judas*, and others *Traitor*; and one of them laid her hand on his neck, and said, *Ere all was done*, that neck *behooved to pay for it*. But no other violence was offered. Mrs. *Livingstone*, the widow of the reverend Mr. *John Livingstone* (for the most of them were Ministers widows) presented their petition to the Chancellor, setting forth the sad condition of the country, in being deprived of their faithful Ministers, and praying that *these* might again have their liberty, without molestation, to exercise their ministry. The Earl received the petition with civility, read it directly, and heard what she had further to offer. He talk'd a little with some

Council  
moell'd.

The meet-  
ing of wo-  
men.

Sharp in a  
pannick.

Their peti-  
tion.

1674. of the rest, and jested with them; and seem'd to be pleased with the fright that *Sharp* was put into. But when the Counsellors got within doors, and found the petition signed, it was voted *criminal*: And about a dozen of the subscribers were called in, one by one, and declared that no *man* had any hand in what they did; but that they were mov'd with the sense of their perishing condition, for want of the gospel; having none to preach to them, but ignorant and profane men, whom they could not hear. Then they were all put into a room by themselves, and the Provost was sent to dismiss the rest. But they were resolv'd not to withdraw, till their friends were sent out, and declared they would all take the same lot. Upon which the Council were pleas'd to send the rest out. And so this tumult was ended, which made so much noise.

*Women prosecuted.* Next Council day, the subscribers were all call'd, and, upon their not appearing, were *denounced*, except Mrs. *Margaret Johnston*, a daughter of the excellent Lord *Wariston*, Mrs. *Cleland*, and *Lilias Campbel*, who were apprehended and cast into prison. And about the end of the year Mrs. *Elizabeth Rutherford*, Mrs. *Margaret Johnston*, Lady *Merfingtoun*, and several other women concerned in this affair, were by the Council, banished the town of *Edinburgh*, and the liberties thereof.

*Young men licensed and ordained.* Before I come to relate the proceedings of the new Council, it will be proper to give the reader a short view of the conduct of the *presbyterian* Ministers about this time. The *indulged* and not *indulged* met frequently among themselves, and licensed several promising young men, and sent them to preach in those parts of the country, where they were most wanted, and excited vacant congregations to call them; and, upon the peoples call, ordain'd them with all the solemnity the times would admit of.

*Overtures.* In this month of *June*, the *presbyterian* Ministers, in every corner of the Church, sent delegates to *Edinburgh*, to concert upon proper rules and † *overtures*, to be transmitted to the several meetings of Ministers, up and down the country. Accordingly they met, and among other things, agreed, that the several meetings take care



to send preachers, where the necessities and desires of the people required them, and to warn them faithfully of the evils and dangers of the time, &c. that it be provided, that no offers from the state relating to Church-affairs, be rejected or accepted by any particular Minister, without the previous knowledge of the several societies; and that Ministers, in this, as in other things, subject themselves *communi presbyterorum consilio*; that neither Ministers nor probationers settle with a people, without consent of the meeting in the bounds, &c.

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Together with these overtures, the materials of an address to the government, were transmitted to the several associations of Ministers, in which they justly complain'd of their hardships, of the change of the government of the Church, of their not being allowed to acknowledge the Magistrates *supremacy*, according to the scriptures, unless they allow him to have that *supremacy* which does *not* belong to him; and so be found guilty of encroaching on the *sovereign authority* of Jesus Christ, *the only King and head of his Church*;—that a great number of valuable young men are kept useless; that little or no care is taken to stop the growth of *Popery*; and therefore prayed that their Lordships would take these things under their most serious consideration.

Materials  
of an address.

The above overtures and materials for an address were sent round the country, and were generally consented to, with some amendments and additions. The *presbyterian* Ministers from *Paisly* gave in their sentiments about the end of *September*, when proper notice shall be taken of them.

Are generally  
agreed to.

We have observed, that from the act of *indemnity* above-mentioned, people took encouragement to frequent *Conventicles*; so that about this time, these pretty much abounded through the kingdom, which greatly disgusted the *Prelates*, and therefore they used their utmost endeavours to suppress them, especially the *field-meetings*. And as *Lauderdale* laid the blame of these upon Duke *Hamilton* and his party, so several letters came from the court, in order to bear them down.

Conventicles  
abounded.

Accordingly, at the first meeting of the new Council, on the 4th of *June*, a letter from his Majesty to this purpose

The King's  
letter.

1674. purpose was read, wherein the Council was required to use their utmost endeavours, for trying and apprehending the Preachers at *Field-conventicles*, invaders of pulpits, and the ring-leading heritors at such meetings; and to use the standing forces and militia for that end, leaving the punishment of other transgressors to the ordinary Magistrate according to law.

A committee appointed.

Upon this, the Council appointed a committee, to take these things under their consideration, and, at the same time, ordered the Chancellor to send out parties to apprehend all Conventicle-preachers; particularly, Masters *John Welsh*, *Gabriel Semple*, *Ro. Ross*, *Samuel Arnot*, *Gabriel Cunningham*, *Archibald Riddel*, *John Mosman*, *John Blackader*, *William Wisheart*, *David Hume*, *John Dickson*, *John Rae*, *Henry Forsyth*, *Thomas Hogg*, *Robert Law*, *George Johnstoun*, *Thomas Forester*, *Frazer of Brae*, *John Law*, *Robert Gillespie*. And any of the guards who shall apprehend Mr. *Welsh* or Mr. *Semple*, were promised 400*l.* sterling, and a thousand marks for each of the rest; nay, the soldiers and their assistants were indemnified of any slaughter committed in apprehending any one of these persons, in case of resistance.

The most remarkable Conventicles.

The eminent, faithful and laborious Mr. *Welsh* had, at the desire of many, made a progress thro' the shire of *Fife*, where he preached frequently, sometimes in vacant Churches, and sometimes in the fields. Other Ministers also preached in vacant Churches. *Sharp* was an eye-witness to a numerous congregation at *Wolmet* chapel. And Mr. *William Weir* preach'd to a crouded assembly in *Magdalen* chapel in *Edinburgh*; other Ministers likewise preach'd there, for which the town was fined in 100*l.* sterling; but the meetings most taken notice of, were those by Masters *Johnstoun* and *Kirkcoun* in the Church of *Cramond*.

Mr. Inglis of Cramond fined.

Accordingly, on the 11th of *June* the Council past a decree, or judgment, against the heritors of *Cramond*. And Mr. *John Inglis* of *Cramond*, appearing and confessing, he had been six times at the said Kirk, when Conventicles were held there, was fined in the fourth part of his valued rent, amounting to 1036 pounds *Scots*, and appointed to lie in prison, till it was paid, and longer, during

during the Council's pleasure; however, he was set at liberty when he paid his fine. The same day Lord *Balmerino* and Sir *John Young of Leny*, denying that they had been at any of these Conventicles, and taking the oath of *allegiance*, were dismiss'd; as was likewise Mr. *Charles Oliphant of Langtoun-law*, upon declaring, that he went to one of these, merely out of curiosity; and promising not to go any more, and taking the oath of *allegiance*. Thus the reader may see with what briskness the new Council went to work. But still further to suppress these, which they called unlawful and seditious meetings, they issued two proclamations on the 18th of *June*, the first was to oblige heritors for their tenants. In this all masters of families were ordered to dismiss from their service, all who repaired to Conventicles, and all heritors, &c. were ordered to require their tenants to subscribe the following bond.

1674.

*Balmerino, &c. dismiss'd.*

“ I. N. N. bind and oblige me, that I, my wife, or  
 “ any of my children in family with me, my cottars  
 “ or servants, shall not keep, or be present at any-Con-  
 “ venticles, either in houses or in the fields, as the  
 “ same are defined by the 5th act of the 2d session of  
 “ his Majesty's second parliament, under the pains  
 “ therein contained; being for † ilk-house-Conventicle † *each.*  
 “ twenty five pounds *Scots*, for each tenant labouring  
 “ land; twelve pounds for each cottar; and for each † *Yeers*  
 “ servant man a fourth part of his † years fee; and the *wages.*  
 “ husband the half of these fines for such of their wives  
 “ and children, as shall be at any House-conventicle;  
 “ and the double of the respective fines for each of the  
 “ said persons, that shall be at any Field-conventicle.  
 “ And for the more security, I am content, and consent  
 “ these presents be insert and registrate in the books of  
 “ Privy Council, books of Council and session, or other  
 “ judges books competent that letters and executorials  
 “ may pass thereupon, in form as effects, and consti-  
 “ tute my Procurators, &c.

In case tenants refused, they were to be put to the horn, and their escheat or forfeiture to be given to their masters. Besides, heritors were ordered to oblige their tenants, for the future, in their leases, or in separate bonds,



1674. bonds, to engage to abstain from Conventicles. And an unlimited power was given to Magistrates to charge all they suspected, to give security for their good, behaviour. I shall leave the reader to make his own reflections on these unprecedented and unreasonable impositions.

*Proclamation for apprehending rebels.* The other proclamation issued this day, was for apprehending rebels and others; that is, the holders of and repairers to *Conventicles*; for here it was declared, that whoever should seize convokers to *Conventicles*, or any who have been at them, so as they may be convicted, should have their fines; and in case of contumacy, their escheats: And whoever should apprehend any Minister at *Conventicles*, should have 1000 merks, and 2000 for Masters *Welsh*, *Semple*, and *Arnot*.

*Gentlemen fined.* On the 25th of *June*, they pass'd a decree or sentence, against keepers of *Conventicles* in *Fife*, and the following persons were fined, viz.

|                                   |   |   |   | <i>l.</i> |
|-----------------------------------|---|---|---|-----------|
| Sir John Kirkaldy of Grange       | — | — | — | 550       |
| Laird of Reddie                   | — | — | — | 850       |
| Scot of Pitlochrie                | — | — | — | 1000      |
| Pitcairn of Pitlour               | — | — | — | 1050      |
| Pitcairn of Latestoun             | — | — | — | 200       |
| Charles Cowan of Corstoun         | — | — | — | 333       |
| Robert Colvil in Balvaird         | — | — | — | 100       |
| Robert Schaw in Auchmouty         | — | — | — | 49        |
| James Hamilton of Innerdivot      | — | — | — | 150       |
| — Maxwell Provost of Auchtermouty | — | — | — | 250       |
| Mr. George Heriot of Ramorney     | — | — | — | 983       |

Making in all 5556

And because the Laird of *Reddie* harboured Mr. *Welsh*, he was fined in 2000 merks; and *Pitlochrie*, for his alledged impertinent behaviour before the Council, in 500 merks more; and all of them were ordered to lie in prison till they paid their fines. There were forty or fifty more summoned to appear at this time, but not answering the summons, they were ordered to be denounced, or declared

declared rebels. The same day another decreet was pass'd against the keepers of *Conventicles* in several places; at some of whom Mr. *John Pringle* of *Woodhead* being present, was fined in the fourth part of his yearly valued rent, and afterwards set at liberty upon paying 277 pounds *Scots*. But sundry of the meaner people were denounced for not appearing when summoned.

1674

Letter  
from  
the King.

On the 30th of *June*, the Council received a letter from the King dated at *Windsor* the 23d, wherein his Majesty lets them know, what he had been informed of, relating to the abounding of *Conventicles*, the invading of pulpits, the *petition of the women*, the resisting of his forces (for which last there was no ground) and that, for putting an end to all these seditious disorders, he had ordered divers troops of his protestant subjects in *Ireland*, to be in readiness at the sea-side in *Ulster*, to receive his further commands; and had also ordered troops to march to *Berwick*, if there should be occasion. —And in the mean time he required them to use their utmost rigour, in finding out and bringing to punishment the ringleaders of the aforesaid seditious and insolent practices, &c.

On the 2d of *July*, the Council returned a very complaisant answer to the above royal letter; and, at the same time, wrote to *Lauderdale*, giving him an account of all their proceedings, and sent up the following overture or proposal: That since they found it difficult, to get proof against the keepers and frequenters of *Conventicles*; his Majesty's Advocate should have authority to order such persons as shall be informed against to have been at *Field-conventicles*, to be summoned before the Council, to give their oaths thereupon, with certification that they shall be holden as confess, —or reputed guilty if they refuse; and that an act of Council be made, warranting the Advocate to refer the *libel*, or charge to the oath of the defendant, and to restrict the same to arbitrary punishment.

Councils  
return.

Before an answer came from court, the Council on the 9th of *July*, passed another decreet against above 50 persons in *Fife* for being at *Conventicles*, none of whom

Decreet a-  
gainst  
Conventi-  
cles.

1674.

appeared but the lady Colvil, who, upon producing a certificate from the Minister of the parish, and promising not to frequent *Conventicles*, was dismiss'd. All the others were denounced. Two days after this the town of *Glasgow* was fined in a hundred pounds sterling, for a *Conventicle* kept by Mr. *Andrew Mortoun* and Mr. *Daniel Cargill*. Much about the same time Mr. *Robert Law*, who had, for some time, been a prisoner at *Glasgow*, was ordered to be brought to *Edinburgh* for keeping of *Conventicles*, and warrants were issued for apprehending Masters *John King*, *Joseph Wallace* and *Andrew Barton*.

*Their further proceedings.*

On the 11th of *July*, the Council received a return from the King approving of their overture, and requiring them to make an act in the terms of it, which was immediately done. The same day — *Livingston* of *Greenyards*, and *Farquharson* of *Chilbræ* were denounced, for being at a *Conventicle* at *Torwood*; and *Robert Ged* of *Bathbridge*, and Sir *John Kirkaldy* younger of *Glain*, were severely fined. The following worthy persons were at the same time declared rebels, and outlawed, for no other cause than preaching the gospel, where they could have opportunity, viz. Masters *Alexander Lennox*, *David Williamson*, *Alexander Moncrief*, *John Rae*, *David Hume*, *Edward Jamison*, *James Frazer* of *Brae*, *William Wisbeart*, *Thomas Hogg*, *Robert Lockhart*, *John Welwood*, *George Johnston*, *Robert Gillespie*, *James Kirkcoun*, *John Weir*, — *McKilligen* in *Ross*, *Nathanael Martin* in *Buchan*, *Andrew Donaldson* in *Dalgety*, *John Chrystison* in *Cowpar*, *William Row*, *Thomas McGill*, *Thomas Urquhart*, *Thomas Hogg*, *William Erskine*, *James Donaldson*, *Pat. Gillespie*, *John Gray*, *James Wedderburn* in *Cowpar*, *John Wardlaw* in *Dumfermling*, *Thomas Douglass*, *George Campbell*, *Francis Irvine*, *James Wallace*, *Andrew Anderson*, *John Munimman*, *George Hamilton*, *Andrew Mortoun*, *Daniel Cargill*, *Alexander Partoun*, *James Wilson* and *Robert Maxwellls* elder and younger. I would have the reader to observe here, that the managers were so incorrect, that in this list of Ministers *out-lawed*, some of them were dead, others were *indulged* by the Council, and some had



had never offended, since the King's indemnity. But as 1674.  
 one observes, these were the witnesses now driven to the wilderness.

On the 21st of July Mr. James Drummond, who had been a prisoner for some time in *Edinburgh* jail for preaching in families, was set at liberty. But on the 23d the Council fined these four gentlemen for harbouring the above mentioned Mr. *Wells*, viz. *Harry Pitcairn* of *Larestoun*, 1200 pounds Scots; ——— *Pitcairn* of *Pitlour*, 2000 Merks; *Geo. Scot* of *Pitlockie*, and *Char. Cowan* of *Corstoun*, 1000 pounds each. At the same time the Magistrates of *Perth* were appointed to apprehend Mr. *Alex. Moncrief*, an ejected Minister, and *Arch. Douglass* of *Cliftonhall*, and *James Maxwell*, Provost of *Auchtermuchty*, were fined for being at Conventicles, the first in 381 pounds, and the other in 252.

On the 28th of the same month, the Council discharged Messrs. *Robert* and *John Laws* and *John King*, prisoners in the Tolbooth of *Edinburgh*, from keeping Conventicles, under the penalty of being treated as seditious persons, and obliged each of them to give a bond, and surety for 5000 merks, to appear when called; and the same day recommended to the Bishops, to enquire what Chaplains and Schoolmasters officiated in their respective dioceses without their licence. And,

At the same federunt, a great many letters were wrote to the Royal Burghs through the kingdom, enjoining them rigorously to execute the laws against *Conventicles*; assuring them, that, in case of failure, they would exact the fines from them, without any abatement. And in order to shew the spirit of the managers at this time, the reader is to observe, that “the burghs in *Scotland* have, by law, a privilege of meeting once a year in a body, to consider of trade, and of by-laws relating to it. At a Convention held this year, a petition was agreed on and sent to the king, complaining of some late acts that hindered trade; for the repeal of which, there was great need for a session of parliament: they therefore prayed, that when the king sent down a Commissioner to hold a session, he might be instructed in order to that repeal. This being a lawful assembly, was judged legal by the

*State of  
the royal  
burghs.*

*Burnet p.  
371.*

1674. lawyers, especially, says Bishop *Burnet*, as they did not petition for a parliament, but only for instructions to the session. However, it was condemned as seditious, and the promoters of it were fined and imprisoned."

*King's letter transferring the Bishops of Dumblain and Brechin, &c.* The same 28th of July a letter from the King, dated at *Windsor* the 16th, was read in council, declaring, That he had wrote to the Archbishop of *St. Andrews*, that it was his royal pleasure, that the Bishop of *Dumblain* be translated to the *Isles*; that the Bishop of *Brechin* be appointed to preach at the College Kirk of *Edinburgh*; and that the Bishop of *Edinburgh* remove Mr. *Turner*, Mr. *Robertson*, and Mr. *Cant* from the exercise of the ministry in *Edinburgh*, or any place in his diocese, without licence; and that Mr. *Hamilton* be removed from *Leith*; and therefore his Majesty required the Council to oblige the Bishop of *Dumblain* to repair to the *Isles*, within two weeks; and that within ten days Mr. *Turner* remove from *Edinburgh* to *Glasgow*; Mr. *Robertson* to *Auchterless*, in the diocese of *Aberdeen*; Mr. *Cant* to *Libberton*; and Mr. *Hamilton* to *Cramond*, till further orders.

*Reasons of it.* The reader will judge whether this was not the full exercise of the royal supremacy. Bishops and Ministers were removed and confined, without any process or trial! But that he may have the occasion of this proceeding, I shall briefly relate it as follows.

*Complaints of some Bishops, &c.* In the months of *May* and *June*, not only some of the inferior clergy, but of the *Bishops* themselves, began to complain openly, that the church was not governed in an ecclesiastical way, but in a most arbitrary manner; and that *Sharp* acted as a *Pope*, managing all church affairs, without consulting with the other *Bishops*. And that though there was a law for a national Synod, (p. 161.) yet, through his influence, none had been called. *Sharp* and his friends alledged, that these complaints were groundless, and were only fomented by the country-party, as it was called, in opposition to *Lauderdale's* administration. But, be that as it will, their complaints and the motion for a national synod, were consented to by Mr. *Lawry*, Bishop of *Brechin*, and Mr. *Ramsay*, Bishop of *Dumblain*. But the former was prevailed with to come into

*Sharp's*

*Sharp's* sentiments, and leave the latter to manage the affair alone. Among the inferior clergy, the Ministers above mentioned in the King's letter, were the most active ; for though their Diocesan, the Bishop of *Edinburgh*, was most averse from a national Synod, yet they and some others agreed to present a petition to him, praying his lordship to do his utmost to get his Majesty to call such a Synod, for considering the disorders in the Church. When this petition was presented I know not. However, this sadly frightened *Sharp*, and therefore he wrote a whining letter to the Archbishop of *Canterbury*, setting forth, That the CHURCH WAS IN DANGER ; a remarkable word ! and begging he would use his interest with his Majesty to prevent any such thing as was desired. *Sharp* likewise laid the matter before the Council, who, on the second of *July*, appointed the Archbishop of *St. Andrews*, the Lord Privy-Seal, the Earls of *Kincardin* and *Dundonald*, the President and Advocate, to examine into the conduct of the four Ministers relating to this affair. How this Committee proceeded, or what issue they came to, I know not ; but accounts of those things were transmitted to his Majesty, who wrote the letter as above. There was a meeting of the Bishops appointed at *St. Andrews*, and *Dumblain* was ordered to be present, but he declined it.

*Sharp's*  
conduct.

*Council's*  
commission.

When the King's letter was read in Council, the contents were instantly obeyed ; and a † Macer was sent to intimate the royal pleasure to all mentioned in it. And the same day the Bishop of *Dumblain* presented a petition to the Council, which they transmitted to the *Primate*, that the King might be acquainted with it. But notwithstanding all that passed, the Bishop of *Dumblain*, in his papers, still subscribed himself *Dumblain*, and took the first opportunity to go in person to Court. We shall hear more of this matter in the transactions of the following year. I shall only observe, that it was very dangerous, in those days, to propose any thing contrary to the inclinations of those at the helm. But leaving this matter, let us return to the proceedings against the persecuted *Presbyterians*.

*King's*  
letter obeyed.  
† *Usher* or  
cryer.



1674.

A new  
Com-  
mission.

The vacation was now at hand, and therefore, that there might be no interruption in proceeding against *Conventicles*, the Council, on the 30th of *July*, gave a commission in the King's name, to the Lord Chancellor, the Earls of *Mar*, *Kinghorn*, *Kelly*, *Weems*, and *Kincardin*, the Treasurer-Depute, and the Laird of *Ardrifs*, or any three of them, to execute the laws against *Conventicles*, irregular baptisms and marriages, in the shires of *Fife* and *Kinross*; as also to the Chancellor, Duke *Hamilton*, &c. for the bounds of *Stirling*, *Pertb*, *Lanerk*, *Dumbarton*, *Renfrew*, and *Air* shires. And, lastly, to the Chancellor, Earls of *Caithness* and *Linlithgow*, &c. for *Edinburgh*, *Linlithgow*, *Haddington*, *Selkirk*, *Peebles*, *Berwick* and *Roxburgh* shires. They also had particular instructions given them. And jointly with these the Advocate was appointed to issue out warrants, to cite all persons concerned before these Commissioners, and to restrict the libel or indictment to an arbitrary punishment, that so they may hold the persons not swearing against themselves as confessed, or treat them as guilty. As none of the *Bishops* were in this commission, the reader need not be surprized to hear nothing of their proceedings. Next day, the Council wrote to *Lauderdale* an account of what they had done since their last.

More  
forces to  
be raised.

In the month of *August*, they had some recess; but when they met on the first of *September*, they received a letter from the King, commending their diligence against *Conventicles*, and acquainting them that, for enabling them to maintain the laws and government, he resolved to raise some more forces, and ordered them to raise a thousand foot and three troops of horse. As this increase of the standing forces in time of peace was very proper for the support of an arbitrary government, so it tended to harass the sufferers.

Farther  
proceed-  
ings.

The same day the Council gave warrant for apprehending *Mungo Lockhart* of *Harwood*, *Wil. Listone* of *Collunun* Easter, *Geo. Tennant* and *John Brown* in *Calder*, for being at a *Conventicle* in *Calder-muir*, and resisting a party of the guards, who were sent to disperse them: and likewise ordained letters of horning, upon the de-  
creets

creets or sentences of Sheriffs, Bailies of regalities, and other inferior Magistrates, against persons guilty of being at *Conventicles*. 1674.

On the 29th the Council had another letter from his Majesty, wherein he desired them to use all diligence with respect to *Conventicles*, and other unlawful practices, especially at or near *Cardrofs*; and told them, that he was informed, that some of his guards had, by their order, apprehended one *King*, who was set at liberty upon bail to appear; and that the Lord *Cardrofs*, in a peremptory manner, complained of that man's being taken, on account of his being his domestic; and therefore ordered them to require that Lord to bring him back to prison. *King's letter about Lord Cardrofs.*

The same day, Mr. *Alexander Burnet* was, by a special order from the King, restored to the archiepiscopal see of *Glasgow*, which had been obliged to resign some years ago. (p. 294, 295.) It was then believed this restoration of the Archbishop was the effect of gross *Simony*. The Bishop's daughter was married to the heir of the estate of *Elphinston*, and had a very large annuity secured to her upon the estate. In a little time she was left a widow. The gentleman who succeeded to the lordship of *Elphinston* made his addresses to Lord *Haltoun's* daughter. My Lord was unwilling to engage with an estate so considerably burthened with the Bishop's daughter's jointure. At last an expedient was found out: The young lady was prevailed with to renounce her said jointure; and *Haltoun* found means to get the Archbishop her father restored to his office and benefice. This made some say, The Bishop's money, who gave his daughter an equivalent, was taken, but that of *Simon Magus* was not.

Mr. *William Drummond* of *Cromlicks*, some time a Major-General, was on the said 29th of September ordered to enter prisoner into *Dumbarton* castle. He was obnoxious to *Lauderdale*, who therefore moved, that he might be secured. He was kept in close confinement for near four months, and then was permitted to walk about a little in the day time, and return at night. *General Drummond confined.*

1674.

Presbytery  
of Paisly.

This day the Presbytery of *Paisly* appointed Mr. *Hugh Peebles* and Mr. *William Eccles* their delegates to the meeting of correspondents at *Edinburgh* (p. 356, 357.) with commission to declare their agreement to their overtures and the materials for an address, with some few amendments and additions. But as all their consultations came to nothing, I shall not insist upon them, but proceed to observe that,

Lord Cardross before the Council.

On the first of *October*, Lord *Cardross* appeared before the Council, and was required to produce Mr. *John King* against next *November*; he told them, that was not in his power, since, by their orders, Mr. *King* was taken from him, and, after he had been some time imprisoned, was set at liberty; since which time he had not been in his service. Though Mr. *King* escaped at this time, yet he afterwards fell a sacrifice to the fury of his persecutors. The same day, they approved the conduct of their Commissioners for Conventicles, and made a present to *Hugh Stephenson*, one of their clerks, of 500 merks, the fine levied from Mr. *King's* surety.

On the second of *December* the Heritors and Kirk-session of *Finwick* assembled, and appointed Mr. *Muir of Rowallan*, younger, to take care to have the laws against cursing and swearing, and other acts of profaneness, put in execution.

Next day the Archbishop of *Glasgow* was admitted a Counsellor, and the reviving the severities in the West Country were much owing to him. The same day the Council banished *Henry Angus* and *James Jaffray* from the shires they lived in, because when brought before the Commissioners at *Stirling* for being at Conventicles, they refused to swear against themselves.

The affair  
of the ad-  
vocates.

Burnet, p.  
370.

I shall finish all I have to relate for this year with an account of the affair of the Advocates, which gives us another instance of the arbitrary proceedings of this reign. I take it from Bishop *Burnet*. "A cause being judged in the supreme Court of Session, the party appealed to the parliament. This was looked on as a high contempt, done on design to make the Parliament a court of Judicature, that there might be a necessity of frequent Parliaments. The Judges therefore required

all



all the Lawyers to condemn this as contrary to law ; 1674.  
 which several refusing to do, the King sent down an order to put all men from the bar, that did not condemn *Burnet, p.*  
 appeals. And when that did not produce the effect de- 370.  
 sired, they were, by proclamation, banished *Edinburgh*  
 and twelve miles round it, and a new day assigned them  
 for making their submission, which they were obliged  
 to do. Now, in what a situation must a nation be,  
 when those learned in the law dare not deliver their own  
 sentiments, is easy for the reader to imagine. The 371  
 Historian tells us, that the government of the city of  
*Edinburgh* was not so compliant as was expected ; so  
 Duke *Lauderdale* procured a letter from the King to  
 turn out twelve of the chief Magistrates, and to declare  
 them for ever incapable of public trusts.

Things were managed much in the same way during 1675.  
 the year 1675 ; for notwithstanding the many severe *State of*  
 laws against preaching and hearing the gospel in pri- *the field*  
 vate houses and the fields, these meetings, especially *meetings.*  
 in the fields, continued to be very numerous ; the vio-  
 lence of the soldiers and the multitude of the hearers  
 obliging them to it. And great was the success that  
 attended the ministry there, many being converted there-  
 by. Nay, some *conformist* Ministers came, and after the  
 forenoon's sermon, offered themselves to join them, ac-  
 tually professing their sorrow for joining in the courses of  
 defection at that time. In several places they changed  
 their way, forsook their churches, and upon their candid  
 acknowledgments, were received both by the Field-  
 Preachers and their people. It is true, the severity of  
 the laws occasioned that not many gentlemen of estates  
 durst venture to come to *these* ; but their ladies, and  
 not a few of good fashion, attended daily. In short,  
 these meetings were so numerous, that the managers,  
 not being able to reach them all, found it necessary to  
 overlook what they could not help. The Bishops in-  
 deed violently pushed prosecutions ; and soldiers and  
 spies were employed to search them out and apprehend  
 the Ministers, and the most noted of the hearers, and  
 to disperse them ; which obliged many to come with  
*Arms* for their own defence ; and some scuffles ensued in

1673. several places. And therefore various methods were taken to discourage and suppress *Conventicles*. But I shall relate the occurrences as they fell out in the order of time.

*Synodical meeting.*

There was a meeting of *Presbyterian* Ministers at *Glasgow* on the 20th of *January* for *synodical* correspondence; at which they came to several resolutions and made sundry proposals too tedious here to insert; especially since the severity of the times prevented them from taking effect.

*The indulged yet in a spirit of rebellion.*

The Ministers, who had accepted the *indulgence*, were brought under hardships on account of their not being paid their stipends; which obliged several of them, in the month of *January*, to petition the Council for warrants to receive them; which a good many of them obtained; but at length, upon some pretence or other, the *Prelates* got an act of council on the ninth of *March*, "ordering, that no *indulged* Ministers get warrants for their stipends, without testificates from the Sheriff or Magistrates in the bounds, that they have not kept *Conventicles* since the 24th of *March*, 1674." But, says my author, this restriction did not affect many of them. However, some months after this, several of them were brought to great inconveniences, as we shall relate.

*Mr. Greg imprisoned*

The same day, the Reverend Mr. *John Greg* was before the counsel for keeping a *Conventicle* upon *Leith-mills*. He owned the charge, and was sent prisoner to the *Bass*, where not a few died. After he had been imprisoned here for the space of eight months, he was set at liberty from that place, and confined to the parish of *Carstairs* in *Lanerkshire*.

*Orders against Mr. Stuart.*

About this time, letters came from court, dated the 27th of *February*, ordering Mr. *James Stuart*, son to Sir *James Stuart*, late Provost of *Edinburgh*, to be apprehended, with all his books and papers, and made close prisoner in *Edinburgh*, and to be allowed no converse with any, either by word or writing. This gentleman was supposed to have published that pamphlet, intitled, *An account of Scotland's grievances by reason of the Duke of Lauderdale's ministry, humbly tendered to his*

*Sacred*

*Sacred Majesty.* This galled the party so much, that though none of them were able to confute the facts he mentioned, they were resolved to take the severest course they could with him. Mr. *Stuart* knowing the designs of his enemies, went out of the way. His cabinets were sealed up by order of Council, on the 10th of *March*; and a strict search was made for him through *Edinburgh*; but he escaped, and, during his retirement made such proficiency in study and piety, that he afterwards made a considerable figure, and discharged the office of King's Advocate with great applause for many years after the revolution.

The *Prelates* complaining of the increase of *Conventicles* about *Edinburgh*, orders were given to Lord *Ross's* troop to march in different parties and suppress them. On the 11th of *March* the town of *Edinburgh* was fined in 100 pounds sterling for *Conventicles* alledged to be kept within their liberties. And next day four companies of foot and a troop of horse were ordered to quarter in *Glasgow* for the easier suppressing these meetings.


As the Duke of *Lauderdale* had the chief management of affairs, it is proper that we take a view of what passed in the *English* Parliament in relation to him. The parliament sat down there in *April*; and the Commons immediately fell upon *Lauderdale*; and those who knew what had passed between him and Dr. *Burnet*, moved, that the Doctor should be examined before a Committee. I shall give this examination in the Doctor's own words: "I was brought before them. I told them how I had been commanded out of town.——" "I was next examined concerning his design of arming the *Irish* Papists. I said, I, as well as others, had heard him say, he wished the *Presbyterians* in *Scotland* would rebel, that he might bring over the *Irish* Papists to cut their throats. I was next examined concerning his design of bringing a *Scotish* army into *England*. I desired to be excused, as to what had passed in private discourse; to which I thought I was not bound to answer, unless it were high treason. They pressed me long; and I would give them no other answer. So they all concluded, that I knew great matters, and reported this specially to the house.

Edin-  
burgh  
fined, &c.

Dr. Burnet examined before the Commons.

Burnet, p 379.



1675.  "Upon this I was sent for and brought before the  
 "house. I stood upon it, as I had done at the Com-  
 "mittee, that I was not bound to answer; that nothing  
 "had passed that was high treason: and as to all other  
 "things, I did not think myself bound to discover  
 "them. I said further, I knew Duke *Lauderdale* was  
 "apt to say things in a heat, which he did not intend  
 P. 380. "to do. And since he had used myself so ill, I thought  
 "myself the more obliged not to say any thing that  
 "looked like revenge, for what I had met with from  
 "him. I was brought four times to the bar. At last  
 "I was told, the house thought, they had a right to  
 "examine into every thing, that concerned the safety  
 "of the nation, as well as into matters of treason; and  
 "they looked on me as bound to satisfy them; other-  
 "wise they would make me feel the weight of their heavy  
 "displeasure, as one that concealed what they thought  
 "was necessary to be known; upon this I yielded, and  
 "gave an account of the discourse formerly mentioned."

My Author, Mr. *Wodrow*, in his appendix, Book ii. N<sup>o</sup> 74, says, That the house not being fully satisfied with his answer, he was again called in to explain himself; and being withdrawn, some heads of his testimony, to avoid mistakes, were drawn in writing; and being again called, and the same read to him, and having amended it in some particulars at the bar of the house, the same is as follows, *viz.*

That coming into *England* out of *Scotland* the first *Saturday* in *September*, 1673, he went to visit the Duke of *Lauderdale* in his lodgings in *Whitehall*, where the Duke and he conversed of the affairs of *England* and *Scotland*, and particularly of the proceedings of parliament, concerning the declaration for suspending the penal laws in matters ecclesiastical; and being afterwards asked, *Whether, if Scotland being called to assist the King, they would assist him or not?* he answered, *He thought they would not:* But the Duke replied, *He believed they would, and that his coming into England would bring a great many.* That the Duke asking him of the Affairs of *Scotland*, he answered, *The people in Scotland that were at such a distance, could not imagine what to think of the King's speech and declaration;* whereunto the Duke replied

replied, *Hinc illæ lachrymæ, and that all had forsaken the King but himself and Lord Clifford.* This is much the same with what the Bishop himself says of his conversation. 1675.

Upon this and other informations, the Parliament drew up a very warm address against *Lauderdale*, but to no purpose; for he continued firm in the King's favour, and in that of the Duke of *York*; so that in *Scotland* every thing was managed as they saw proper.

In the Month of *May*, *Henry Lord Cardross* being in *Edinburgh*, and having left his wife at home by herself, Sir *Mungo Murray*, accompanied with *Walter Stuart*, *Henry Graham*, *George Murray*, *James Spotswood*, *And. Hume*, and others, went in a tumultuous manner to his house of *Cardross* in the night-time, and, without producing any orders, frightened the lady, then big with child; made her get out of bed, broke open his Lordship's closet, where his papers lay; and having seized upon Mr. *John King* his Lordship's Chaplain, and Mr. *Robert Langlands*, Tutor to *Cardross's* brother, the late Colonel *John Erskine* of *Carnock*, carried them away. All this his Lordship laid before the Council in a respectful petition, wherein he represented clearly, that this outrage was illegal, broke in upon the privileges of Peers, by forcibly taking away his domestic servants at such an unseasonable time, though they had been accused of no crime, and obliging his Lady, then big with child, to get out of her bed. These, and other things, Lord *Cardross* laid before them, and prayed for redress: but such was the iniquity of the times, that, instead of paying any regard to his reasonable petition, they made use of it as a handle against him; for some country people who had profited by Mr. *King's* ministry, assembled together and rescued him from the soldiers; which, as shall be related, they made a foundation for prosecuting this noble Lord, though he was then at *Edinburgh*, and so could be no wise accessary to the rescue.

In the beginning of *June*, a paper-war was commenced between the Archbishop of *St. Andrews* and the Bishop of *Dumblain*, who had been translated from his bishopric to that of the *Isles*, for declaring his sentiments *Bishops at variance.*

1675. ments in relation to a *national Synod*. (p. 364, &c.) The two Bishops were at this time at *London*; but as the matter of their controversy was personal, respecting their conduct to one another, I shall not trouble the reader with it. The Bishop of *Dumblain* answered all the interrogatories put to him by a meeting of the Bishops at *St. Andrews* with great openness and candor.

King's  
rescue.

Mr. King's rescue was soon known at court, so that on the 12th of *June* his Majesty wrote to the Council, complaining of this attempt upon his forces, and the rescue of Mr. King, together with the increase of *Conventicles* in *Tiviotdale*, and *East-Lothian*, that the indulged Ministers kept irregular and disorderly *communions*, appointed *fasts*, &c. In consequence of this letter, a Committee was appointed to consider the contents of it. And on the 22d of *June* the Advocate was ordered to form a libel or indictment against Lord *Cardross* and others, on account of Mr. King's rescue.

As ap-  
pointing  
garrisons.

And the better to suppress *Conventicles*, the Council, on the 13th of *July*, appointed garrisons in the following houses, each garrison consisting of a company of foot and twelve horse, viz. at the house of *Bridghouse* in *Linlithgowshire*, at the house of *Cardross* in *Pertshire*, at the house of *Glentirring* in *Stirlingshire*, at the house of *Merns* in *Renfrewshire*, at the house of *Douchill* in *Kinrosshire*, at the house of *Dean* in *Kilmarnock*, in the shire of *Air*, at the house of *Airdry* in the shire of *Lanerk*, at the house of *Newark* in the shire of *Selkirk*, at the house of *Huntbill* in the shire of *Roxburgh*, at the house of *Blane* in the shire of *Berwick*, in the Laird of *Ridel's* house in the shire of *Roxburgh*, and at the castle of *Dumfries* in the shire of *Dumfries*. The officers and soldiers were ordered to be at the said places by the first of *August* next. Burnet says, "That two were the chief dwelling houses of two Peers, the rest were the houses of Gentlemen, that had gone into the party against Duke *Lauderdale*. And though these were houses of no strength, and not at all properly situated for suppressing of *Conventicles*, yet they were taken. Soldiers were put in them. And the countries about were required

p. 399.

to



to furnish these small garrisons with all things necessary. This, says that historian, was against the express words of the law that had lately settled the militia."


1675.



On the 15th of *July* they wrote to *Lauderdale*, giving him a detail of their proceedings since the 24th of *March* 1674. They likewise, appointed a solemn fast to be observed, on account of a long and threatening drought, which had a melancholy prospect as to the fruits of the ground. *A fast appointed.*

The same day most of the *indulged* Ministers being represented, as having acted contrary to their instructions, and against the law, Sir *John Nibbet* the Advocate was ordered to have them summoned before the Council. Accordingly, Mr. *James Veitch* Minister at *Mauchlin*, Mr. *John Gemble* at *Symington*, and Mr. *Hugh Campbel* at *Muirkirk*, for having married and baptized in other parishes, and not administering the Lord's supper upon the same day, and admitting persons of other parishes, without certificates from the Ministers of them, for ordaining several persons to the office of the ministry, without authority from the Council; and for meeting at the town of *Air* and other places, and taking upon them to appoint days of fasting and humiliation; for these heinous crimes, these Ministers were solemnly charged to appear and answer. But though these and sundry others were summoned, yet it seems they did not appear. Mr. *Wodrow* thinks that the matter was made up by Lord *Stair*, and other well-wishers, as nothing could be laid to their charge, but keeping fasts in their own parishes, for the same reason that the Council appointed one. *Mr. Veitch, &c. summoned.*

Soon after this the Lord *Cardross*, instead of having any redress for the outrage that was committed in his house against his Lady and domestick servants, was most unjustly prosecuted; for on the fifth of *August*, the affair of Mr. *King's* rescue was before the Council, and sentence was pass'd against this excellent Nobleman, for being concerned in that attempt, because some of his servants were there, and finding that his Lady had been present at many *Conventicles*. They therefore ordered his Lordship to enter the castle of *Edinburgh*, and re- *Lord Cardross fined.*

1675.  main confined there during his Majesty's pleasure, and fined him in 1000 *l.* sterling, and in 1350 *l.* Scots, because he did not oblige his tenants to give *bond* not to keep *Conventicles*. I shall leave the reader to make his own reflections on these proceedings. And next day one *John Sandilands* was fined in 300 merks, for being at a *Conventicle* near *Bathgate* in the beginning of the year. Upon the payment of which, and giving bond for a thousand merks, if ever he went more to these meetings, he was set at liberty.

John Sandilands fined.

Act about the garrisons.

On the same day, being the 6th of *August*, they took under their consideration the garrisons appointed for the houses above-mentioned, and past an act, enjoining the Major General to see that the officers be careful to hinder any disorders from being committed by any under them, and to keep good intelligence for preventing all disorderly meetings, and for apprehending the preachers at *Conventicles*, or of any Ministers, who, by the Council, are declared *fugitives*, &c. One would think that the appointment of such garrisons, in the time of peace, was unprecedented, illegal, and subversive of the liberty of the subject, especially as this was enacted without any order from the court, or so much as acquainting the King, till it was done. Besides, the charge of maintaining them was a great burthen on the country. At length it appeared so illegal and unreasonable, that peaceable Gentlemen and subjects should be quartered upon like enemies, that it was found fault with at court: And though the *Bishops* defended it for some time, yet they were obliged to drop it. However, the country groan'd under this grievance, in less or in more, for several years.

Acts against Conventicles.

This same day the acts against *Conventicles* were lengthened out for three years longer, and a new Commission was given to the Earls of *Wintoun*, *Linlithgow* and *Wigtoun*, Lord *Belhaven*, &c. for suppressing them and other Church-irregularities.

Letters of intercommuning.

At the same time, the Council gave out letters of intercommuning against the following Ministers, Gentlemen, Ladies and others, whose names I here insert from the letters themselves, viz. Masters *David Williamson*,

*liamson, Alexander Moncrief, William Wisheart, Thomas Hogg in Ross, George Johnstoun, Robert Gillespy,—McGilligen in Ross, John Ross, Thomas Hogg in Stirlingshire, William Erskine, James Donaldson, Andrew Anderson, Andrew Mortoun, Don. Cargill, Robert Maxwells elder and younger, and James Frazer of Braes. Sir John Kirkaldy of Grange elder;—Hamilton of Kinkell, James his brother, John Geddy in Falkland, John Arnots of Pitgrumzie; elder and younger, Archibald Arnot in Newburgh, Mr. Thomas Arnot in Collessy, Andrew Arnot merchant in Kirkaldry, Thomas Schaw elder of Gospatrie, his son David, Henry Schaw in Balgony, George Fleming in Balbuthie, William Shethrum in Lundimill, John Miller in Dinork, Andrew Kinnier merchant in St. Andrews, John Thomson in Fawfield,—Gowan in Crail, Robert Herbertson in Tarbet,—Douglas† portioner in Colsey, Thomas Blythe heritor in Kennoway parish,—Weems, Lady Colvil, John Adam Bailie of Stramiglo, James Pryde in Nether-urquhart, David Coventry and John Henderson in Arlary, Robert Stark in Mills of Forth; William Page, John White and Richard Clidsdale in Cowpar of Fife; Lady Balcanquell, Colonel Robert Halket, John Smith in Dundee, John Balfour in Lethum, Alexander Walker in Friertoun, George Spence in Fordel, Pat. Melvil in the Burnside,—Wardlaw heritor in Kirkcoun, Colvil Lady Bailly in Dininno parish, James Grieve and Andrew Kinnier in St. Andrews; James Lotbrian in Kingsbarns; Mr. James Bonnar of Gregstoun, John Scot in Lathones, Lady Colerny, David and Alexander Campbels in Kirkaldy, William Livingston of Greenyards,—Farquharson of Sbielbrae, James Somerwel at the boat of Cardross, Hary Dow of Westerpolder, Mr. John King Chaplain to the Lord Cardross; John Doik portioner of Murdistoun, and James Muir portioner of Burdistoun; Lady Pittendreich in Logie parish; Robert Fork portioner of Kilpatrick; John Starks, elder and younger of Balknock;—Symer of Brathnes, William Crawford of Powmill, John Lundy of Baldstard, Mr. James Lenton and his spouse; John Collier of Lochgelty, Dame Anna Riddel Lady Collerny,—Ladies Unthanks elder and younger; John Fairfoul of Kinloch, Dame Margaret Farquhar Lady Halkill,—Hamilton relict of*

1675.

† the same with partner or coparcener, they who have equal portions in the inheritance of their ancestors.



1675. Francis Galloway of Todshaugh, Simeon Alexander feuar and tenant in Kirklistoun, and James Wilkie tenant in Cliftounball. The great crimes, for which these were *intercommuned*, were their preaching or hearing at *Conventicles*, or their not appearing when summoned, when they knew that, by appearing, they must either renounce their principles, or fall a sacrifice to the resentment of their persecutors. They chuse therefore to keep out of the way; and now they were *intercommuned*, not only declared rebels, *that* many of them were before; but, by these letters, they were cut off from all society in the kingdom of *Scotland*; and it was declared, that whoever should receive, or harbour, or converse with them, either by word or writing, or any other way; or supply them with meat, drink, cloaths, or any other of the accommodations or necessities of life, should be pursued with rigour, as guilty with them of the same crimes; and all sheriffs, &c. and their deputies were ordered to apprehend them wherever they can be found. The reader therefore cannot be surpris'd, though they quitted their habitations and wandered about from place to place, not like a sort of *Banditti*, as Bishop *Burnet* is pleas'd to say, but rather as *faithful confessors*, who, being persecuted in one place, fled to another. And as for their falling into a fierce and savage temper, as *Burnet* says they did, that is like other slanders, that have been cast upon the faithful sufferers for Christ in all ages.

p. 399.

A remarkable communion at Obidale.

On the said 6th of *August* the Council wrote to the Earl of *Murray*, to put the laws in execution against keepers of *Conventicles* in the shire of *Elgin*, and the neighbouring places. There were not many *presbyterian* Ministers on the north of the *Tay*; however, there were some, as Mr. *John M'Gilligen*, Mr. *Anderson*, Mr. *Frazer* and Mr. *Thomas Ross*, who had much of the divine presence with them, and great success attending their ministry this summer. Mr. *M'Gilligen*, with other *presbyterian* Ministers in that country, was *intercommuned*, yet this did not discourage them in their work. But as many serious people longed for the administration of the Lord's Supper, so, after much pains in preparing them for that solemn ordinance, both by publick preaching

1675.

ing and from house to house, he administered that sacrament in *September* at *Obfdale*, in the house of the Lady Dowager of *Fowlis*. He was assisted by Mr. *Hugh Anderson* Minister at *Cromartie*, and Mr. *Alexander Frazer* Minister at *Teviot*, afterwards at *Abbot's-hall*. And such an effusion of the spirit of God was vouchsafed on that occasion, that, however many in this age may look upon these things as *enthusiastick*, yet the eldest christians there declared, they had never been witnesses to the like. The people seem'd to be in a transport, and some were almost at that, *whether in the body, or out of the body, I cannot tell*. And even the hearts of strangers were wrought upon. So that however they were persecuted by men, yet they were owned by God.

At this communion, they were very providentially kept from disturbance; for the design of the solemnity taking air, Sir *Roderick Mackenzie* of *Findon* the sheriff-depute, at the instigation of the *Bishop*, sent a party to apprehend Mr. *McGilligen*. But when they came to *Alnes*, the place of his residence, where they expected to have found him, they spent so much time in pillaging his orchard, that the forenoon's service was over, before they got to *Obfdale*, upon which the Ministers retired; but the party, not finding Mr. *McGilligen*, march'd off, and thereby gave them an opportunity of meeting again unmolested in the afternoon. However, this good man was obliged to abscond, and we shall relate what he suffered next year in its proper place.

On the 2d of *September*, the Council committed Sir *Patrick Hume* of *Polwart*, afterwards Earl of *Marchmont*, to prison for refusing to contribute for the support of the garisons above-mentioned, which he justly look'd upon as a sensible encroachment upon the liberties of the subject; for which a sentence was pass'd against him, but he gave in a bill of suspension to Lord *Collingtoun*, and took instruments upon his refusal of it. This was construed as an high affront, for which he was imprisoned.

*Sir Patrick Hume imprisoned.*

Next day, all the *indulged* Ministers got a charge of *Indulged Ministers troubled.* horning, to pay the ordinary dues to *Lodovick Fairfoul*, Clerk to the synod, and to Mr. *David Clunie* their bur-

1675. *far.* Some paid, others refused. The same day, the Council wrote to the King, complaining of *Pokwart's* giving in a bill of suspension to the Lord *Collington*, as above, and that they had imprisoned him on that account. On the 5th of *October* they received his Majesty's answer, approving of their conduct, and requiring them to declare him incapable of all publick trust, and to send him a close prisoner to *Stirling-castle*.

On the 4th of *November* the reverend Mr. *Thomas Ross*, in the shire of that name, was apprehended for *Conventicles*, and imprisoned in *Tain*, and afterwards sent to the *Bass*, where he continued, for some time, with others of his brethren.

There is little more occurs during the rest of this year; only in *December* the Council gave a Commission, much of the same nature with the former, to the two ARCHBISHOPS, the Earls of *Seaforth* and *Dundonald*, concerning *Conventicles*, which were the great eye-sore of the *Prelates*. On the 16th of *December* the Council, finding that Mr. *James Mitchel* had endeavoured to make his escape, ordered him to be secured in a closer place in the *Tolbooth*.

I shall only observe, that as many in the shire of *Berwick* appeared against the arbitrary proceedings of these times, so the fines levied by the Earl of *Hume* in that shire during this year for *nonconformity* amounted to 26666*l.* 13*s.* 4*d.* *Scots*, and in the parish of *Gordon* 3328*l.* 4*s.* *Scots*; from which the reader may easily form a judgment of the vast oppression of the people by the fines imposed for *nonconformity* and *Conventicles*.





C H A P. XI.

*Of Mr. Mitchel's torture, the proceedings of the Council, the circumstances of the indulged, the prosecutions for Conventicles, the occasions of the Highland-host, and other occurrences to the end of the year 1677.*

1676.

**N**Otwithstanding the letters of *intercommuning*, and the severe penal laws in force; and though the soldiers in the garisons were diligent in harrassing, robbing, wounding and imprisoning whom they reckoned haunters of Conventicles; yet these meetings could not be suppress'd. The Ministers would preach, and the people would hear, being *in nothing terrified by their adversaries*. The Lord's Supper was likewise administered in several places. Mr. *John Law*, after the revolution one of the Ministers at *Edinburgh*, dispens'd that ordinance in the night-time to a numerous meeting at *Kippen*, being assisted by Mr. *Hugh Smith* and Mr. *Matthew Crawford*. Mr. *Alexander Jamison*, Mr. *Hugh Smith* administer'd the same ordinance at the house of the *Hagg's* near *Glasgow*, and at another time Mr. *Smith* administered to his own parishioners at *Eastwood*, assisted by Masters *Will. Thomson*, *John Ray* and *Matt. Crawford*. These were sealing times to many. Mr. *Jamison* died some time this year. He had been professor of philosophy at *St. Andrews*, and had a patent for the professorship of divinity, but did not accept of it, though all knew he was well qualified, being a person of great piety and learning. These things much gall'd the *Bishops*. Wherefore they set the managers to work, in order to put a stop to these proceedings. But I shall relate the transactions in order.

Lord's  
Supper ad-  
ministered.

About the beginning of the year 1676, Duke *Hamilton* was at *London*, where the King was pleased to hear some of his complaints against *Lauderdale*, in presence of the Duke of *York*, the Earl of *Atbol* (now made a Marquis) and others. The former urged the miserable

Debates  
between  
Hamilton  
and Lau-  
derdale.

1676. miserable circumstances of many country people, who were fined, confined, banished, &c. for their *nonconformity*; and all thro' ill advice, and unjust representations, made to the government. *Lauderdale*, on the other hand, accused *Hamilton*, and kept his ground, so that at length *Hamilton* left the court. The former thus prevailing, things were carried with a high hand against the *nonconformists*.

*Riots complain'd of.* On the 6th of *January* Mr. *Henry Knox*, the episcopal Minister at *Dunscore* complained, that, on the 28th of *December* last, his house had been robb'd, himself and wife beat by six or seven persons; and on the 27th the Minister of *Gargonnock* complain'd of a riot of the same kind. Wherefore the Council, on the 10th of *February*, fined the heritors of *Dunscore* in 5000 merks, and those of *Gargonnock* in 6000, to be paid to the Ministers. These Ministers would have had no cause to complain, had they met with a riot once every year.

*Mr. Mitchel put to torture.* Mr. *James Mitchel* (p. 352, 353.) having been some years in prison, and having refused to own what he had confess'd before the Council, in presence of the justiciary, was ordered, this 6th of *January*, to be examined by torture, concerning his being in the rebellion, as it was call'd, 1666. But when there was no proof of his being in that insurrection, it seems hard to put him to the torture, for what had happened near ten years before. However, a committee was appointed, of which the Earl of *Linlithgow* was preses. Mr. *Mitchel* was brought before them the 18th of *January*, about 6 in the evening. The Earl told him, He was brought before them, to see whether he adhered to his former confession. He answered, " My Lord, it is not unknown " to your Lordship and others here present, that, by " the Councils orders, I was remitted to the Lords of " *justiciary*, before whom I received an indictment, at " my Lord Advocate's instance, whereby I was to be " forfeited of life and fortune, although I have no fortune. To which indictment I answered at three several + diets. And the last diet being deserted by my Lord Advocate, I humbly conceive, that both by " the law of the nation, and practick of the court " at


+ times of meeting.

“ at that time, I ought to have been set at liberty ; yet  
 “ notwithstanding, I was, contrary to law, equity and  
 “ justice, returned to prison ; and upon what account I  
 “ am this night brought before your Lordships I know  
 “ not.” The preses told him, he was not accused be-  
 fore them either upon life or fortune, but called to see,  
 whether he would own his former confession. Mr. *Mit-*  
*chel* answered, that he knew no crime he was guilty of,  
 and therefore no such confession, as was alledged. Upon  
 this the Lord-treasurer depute said, the † pannel was one † *prisoner*  
 of the most arrogant cheats, liars and rogues he had *at the bar.*  
 known. The prisoner replied, “ My Lord, if there were  
 “ fewer of those persons you have been speaking of in  
 “ the nation, I should not now be standing this night  
 “ at the bar.” After some further discourse he was  
 committed to prison.

On the 22d, he was again brought before them in  
 the lower Council-house, when a paper was produced, al-  
 ledged to be subscribed by him ; and being interrogated  
 as above, he said, My Lord, I acknowledge no such  
 thing. The preses, said, Sir, you see what is on the  
 table (*the boots*) I will see, if that will make you do it.  
 Mr. *Mitchel* answered, “ My Lord, I confess, that, by  
 “ torture, you may cause me to blaspheme God, as *Saul*  
 “ did compel the saints ; you may compel me to speak  
 “ amiss of your Lordships, to call myself a thief, a  
 “ murderer, &c. and then † pannel me upon it ; but † *arraign.*  
 “ if you shall, my Lord, put me to it, I here protest  
 “ before God and your Lordships, that nothing extorted  
 “ from me by torture, shall be made use of against me  
 “ in judgment, nor have any force in law against me or  
 “ any other person. But to be plain with you, my  
 “ Lords, I am so much of a christian, that whatever  
 “ your Lordships shall legally prove against me, if it  
 “ be a truth, I shall not deny it ; but on the contrary,  
 “ I am so much of a man, and a *Scots* man, that I ne-  
 “ ver held myself obliged, by the law of God, nature  
 “ or the nation, to be my own accuser.” So that still  
 persisting in refusing to own the subscription of the paper  
 they had produced, he was again sent to prison.



1676.

 On the 24th of *January*, the Justices came in their robes to the inner parliament house; the prisoner was brought before them; and the executioner and the boots were presented. He was again interrogated as above, but persisting in his refusal, he was tied in an elbow chair, and the *boot* brought. The executioner ask'd which of the legs he should take; the Lords said, any of them. The executioner taking the left leg, Mr. *Mitchel* said, since the judges have not determined, take the *best* of the two; for I freely bestow it *in the cause*, and so he put his right leg in the engine. Upon this the Advocate desired leave to speak a few words, but continued his discourse for a considerable time. And Mr. *Mitchel* having answered the most material things, upwards of thirty questions were proposed to him, particularly concerning the affair of *Pentland*, to see if they could find him in a contradiction. But perceiving their design, and the wedge pinching the boot, and paining him most sensibly, he spoke as follows. “ My Lords, “ (not knowing that I shall escape this torture with “ my life) I beseech you to remember what *Solo-* “ *mon* saith, *he who sheweth no mercy shall have judgment* “ *without mercy*. And if there be any here present, as “ I hope there are few or none, whose disposition is so “ eager in pursuing after innocent blood, that nothing “ else than a full draught will satisfy them; I say, let “ such remember what is spoken *Rev. xix. 5, 6*. Thou “ art righteous, &c. And now my Lords, I do freely “ and from my heart, forgive you, who are judges sitting “ on the bench, and the men who are appointed to be “ about this horrid work, and also those who are viti- “ ating their eyes beholding the same. And I do en- “ treat that God may never lay it to the charge of any “ of you, as I beg that God may be pleased for his son “ Christ’s sake to blot out my sins and iniquities, and “ never lay them to my charge here nor hereafter.

The questions being all over, the executioner took down his leg from a chest, where it lay all the while in the *boot*, and thrusting in his shelves began his strokes, at each of which they ask’d if he had any more to say, he answered, No more, my Lords. There were nine strokes given

given on the wedge, at the last of which he fainted through the extremity of pain; so that the executioner cried out, *My Lords, he is gone, he is gone.* Then they commanded to leave off the torture, and, rising from their seats, went away; after which he was returned to the prison in the chair in which he was tied during the torture. We shall hear more of him afterwards.

1676.

It is true Mr. *Mitchel* had made a confession upon the promise of his life; but the managers having revoked their promise, because he would not adhere to his confession before the Lords of justiciary, and to be his own accuser; the reader must determine how far he was to blame now, in not owning his confession judicially, as they had judicially revoked the condition, upon which the confession was made. And to put a man to torture, for finding out things, for which they had not the least proof, seems to be unprecedented and cruel; and to bring him to a further trial, after torture, appears to be unjust. But these things I must leave to the determination of others.

*Remarks.*

On the 10th of *February*, several persons were fined for being at Conventicles, as *Durham* of *Largo* 1200 *l.* *Scots*, for harbouring Mr. *John Welsh*, and 2500 *l.* for being at two Conventicles, where he preach'd. This was either the second or third time, that this Gentleman was fined. *Ed. Gillespie* was fined in 200 *l.* *R. Richardson* 100 *l.* Colonel *Ker* and Lady *Whitblaid* 500 merks each; Messrs. *Stuart*, *Stirling*, *Hamilton* 100 *l.* *Scots* a piece; all for being at a House-conventicle at *Edinburgh*. And that they might be punished twice for the same fault, the Magistrates were likewise allowed to fine them for their relief. Such was the justice of these times!

*Persons fined.*

Some prisoners in the Tolbooth of *Stirling* met with an uncommon piece of severity, about this time. About the end of 1674, about fifteen men were imprisoned at *Stirling* for being at a Conventicle; eight of them, by some interest, got out after 15 months confinement: the other seven laid their deplorable case before the Council. *Charles Campbell* was upwards of sixty years of age, *John Adam* near seventy, and some of the rest were under great bodily indisposition. But such were the tender

*Severity to prisoners at Stirling.*

1676. mercies of these Counsellors, that they made a present of them to one Captain *Maitland*, an officer in the service of *France*. An order came, for this end, to the Magistrates of *Stirling*, signed by the Earl of *Linlithgow*, and the Lords *Haltoun* and *Collingtoun*. Accordingly, when every thing was got ready, about midnight, on the 18th of *February*, the poor men were brought forth, without having the least previous notice, and delivered to about fifty foot soldiers, who carried them off fettered and tied to one another. One *John Paterson* was let out some days before, being, in all appearance, in a dying condition. But such is the support of a good conscience and a good cause; that they all went off with chearfulness, leaving their wives and children behind them.

About this time, Lord *Cardross* sent up a petition to the King. But his Majesty wrote to the Council a letter dated the 24th of *February*, requiring them not to set him at liberty, till he had made full payment of the fine imposed upon him. In the same letter, Sir *Patrick Hume* of *Polwart*, and Lieutenant General *Drummond* were ordered to be set at liberty, only the former was to remain incapable of all publick trust, till further orders.

Orders for  
the Bi-  
shops, &c.

On the first of *March* the Archbishop of *St. Andrews*, the Bishops of *Edinburgh* and *Aberdeen* were appointed to enquire, if all the masters of universities and colleges had taken the oaths of *allegiance* and *supremacy*, according to law. Orders were likewise given for making a strict enquiry, whether all Magistrates of *Burghs* and other inferior officers had sign'd the *declaration*, and to prosecute such as had not.

Proclama-  
tions a-  
gainst  
Conventi-  
cles.

The same day, a very severe proclamation was agreed to against *Conventicles*, by which, the decay of religion and increase of profaneness is ascribed to the separation from publick worship, and the frequency of *Conventicles*. But the truth is the decay of religion, &c. was entirely owing to the bad practices of the *incumbent clergy*, and the want of discipline in the established Church, as several of themselves have acknowledged. Whereas the preaching of the *ejected* Ministers in private houses, and in the open fields, had a singular tendency to suppress vice, and turn many to rightcouness, and was remarka-

bly



bly blest'd of God for these valuable ends; but every thing that was evil must now be attributed to *Conventicles*. By the said proclamation, *Papists*, according to the custom of the times, were blended with *Presbyterians*; and Magistrates were ordered to prosecute them, and apprehend *intercommuned* persons and fugitives: But the *Papists* were very easy; for they knew that they had little to apprehend from the threatnings of this time. But what follows was still harder; *all preachers who don't attend publick worship*, that is, hear the incumbents at their own parish Churches, before the 1st of June, were to be punished for *nonconformity*. If this was not persecution for conscience sake, the reader must judge what is. All who *harboured the intercommuned* were made liable to the same pains with *them*, and a reward of 500 merks was ordered to be presently paid to any, who should discover such. All inferior Judges and Magistrates were threatned, if they did not execute the laws. The fine of 500 merks was imposed upon each Burgh, where a *Conventicle* was kept, besides their *bond* to the Council. It was further declared, that the heritors shall be fined, in a years rent of the house, where any such meeting should be held; and, to encourage *informers*, a part of this fine was promised to *them*. In short, if any Chaplain, Schoolmaster, or Pedagogue was entertain'd without a licence from the Bishop of the diocese, a Nobleman was to pay 3000 merks, a Gentleman 1200, and a Burgefs 600.

Great were the hardships of the *protestant nonconformists* in *England* at this time; but nothing could exceed the persecuting spirit, the managers in *Scotland* discovered. The soldiers were the daily executioners of the laws. And now and then the Council sent special commissions to particular persons for suppressing *Conventicles*. Accordingly on the said 1st of *March*, several committees were appointed. One was ordered to sit at *Edinburgh*, another at *Glasgow*, another at *Stirling* and in *Fife*, and one for *Aberdeenshire*, *Murray* and *Ross*. I shall have occasion to relate the proceedings of that at *Glasgow* in its proper place; only at this time a very strict search was made for *Conventicles* and *ejected* Ministers in *Glas-*

Committees  
for sup-  
pressing  
them.

1676. *gow* and other Burghs, and the town of *Perth* was fined.

*Proclamation about the indulged Ministers.*

The clamour made by the *episcopal* Clergy in the beginning of the year, against the *indulged presbyterian* Ministers, for breaking their confinement, and the instructions given them by the Council (p. 325.) produced a new proclamation dated this 1st of *March*, wherein particular notice was taken of the first four rules; but the two last, relating to their attending on the *diocesan* meetings, and paying the dues to the Clerk and Burser of the *diocesan* synod were omitted. The proclamation concludes thus: "And whereas it is informed, that the said *outed* Ministers *indulged*, as aforesaid, at least many of them, have violated and contravened the foresaid orders and instructions (upon *which terms* they were permitted and indulged to preach and exercise the other functions of the Ministry) whereby many disorders are occasioned. The said Lords do therefore, of new again, require and command all these *indulged* Ministers to keep and observe the foresaid orders and instructions in time coming, and specially for keeping within the bounds of their own parishes, and celebrating the communion upon one and the same Lord's Day, as they will be answerable at their peril. And ordain these presents to be printed, and copies thereof sent to the several Ministers." And the same day, as my author found from the Registers, the Council, discharged the *Nonconformist* Ministers to admit any of the Ministers, not licensed by law, to their communions or pulpits, and if they disobey, appointed the Bishops of the diocese to *depose* them."

*Remarks.*

From this additional order, and the clause within the parenthesis (upon *which terms* they were permitted and *indulged* to preach and exercise the other functions of the ministry) one would be apt to imagine that this proclamation was intended to *divide* the *Presbyterian* Ministers among themselves. And it is certain that the *indulgence* proved the occasion of much division. They who could not comply with the *indulgence*, on account of the *erastianism* that run through the whole of it, condemned those that complied, as renouncing *presbyterian* prin-

principles ; becauſe it was ſaid, that the obſervation of thoſe inſtructions was the *terms*, upon which they were *indulged* ; and therefore when they accepted of the *indulgence* upon ſuch *terms*, they conſented to receive their miniſtry and the free exerciſe of it, on theſe conditions ; ſo that, whether they punctually obſerved them afterwards or not, the bargain was eſtabliſhed. And though at firſt, theſe inſtructions, when given, were not expreſſly ſo called, yet the manner of propoſal was ſuch, as all who would not willingly be enſnared, might have been convinced, that ſo, and no otherwiſe, they were intended, and, upon the matter, could bear no other conſtruction. On the other hand, they who had clearneſs to accept of the *indulgence*, though they could not obſerve the rules and inſtructions given, argued, that they did not look upon theſe as the *conditions* of their *acceptance*, but as the impoſitions of the Magiſtrate ; as the reader will ſee from a petition of the Reverend Mr. *Thomas Wylie*, occaſioned by the above mentioned proclamation, of which I ſhall give the following abreviat.

1676.  
Hid. of Indulgence,  
p. 55.

“ *Moſt Honourable,*

“ I would moſt willingly have forborn this addreſs, if  
“ not conſtrained thereto by your Lordſhips late act.—  
“ The act *September* the third, 1672, in its complex  
“ contrivance, with the other two of the ſame date, were  
“ not a little grievous to many, and to me : yet,—look-  
“ ing upon theſe rules in the ſecond act, as enjoined  
“ † *ſub pœna*, I reſolved (having an invitation from the † *under a*  
“ people) thankfully to accept of the permiſſion,—and *penalty.*  
“ to answer, when challenged, for every breach of the  
“ rules, which I ever looked upon as *orders*, and not  
“ as *terms*, or conſiderations, upon which we were per-  
“ mitted to preach : neither can I look upon them, or  
“ any thing in the firſt contrivance as ſuch ; *for terms*  
“ *upon which*, &c. import a compact between the giver  
“ and receiver ; but in this matter, I knew of no ſuch  
“ thing,—Your Lordſhips only enjoined them with—  
“ certification, *as thoſe concerned will be answerable* : ſo  
“ that—there is nothing in all theſe acts, ſo much as  
“ intimating, that your Lordſhips intended any conſent

“ or



1676. “ or obligation, by way of *condition*, from the receivers  
 “ of your offer ; but—contented yourselves with the  
 “ intimation of your pleasure with *certification*.—Your  
 “ Lordships offer being free, the acceptance arbitrary,  
 “ the rules not enjoined as conditions, but commands  
 “ *sub pana*, and the resolution of ministers, as to them,  
 “ being either to give a satisfying reason, or suffer  
 “ with a good conscience for neglecting them—I and  
 “ others have been in readiness, hitherto, to answer  
 “ every one convincingly, who, either out of malice,  
 “ were apt to reproach, or, out of scruple, to stumble  
 “ at the least use making of the allowance, as if we  
 “ thereby had involved ourselves in complying with,  
 “ and approbation of *prelacy*, *erastianism*, the *supremacy*  
 “ in its full extent, &c. which things to approve, were  
 “ contrary to the known principles of *Presbyterians*.  
 “ But now it being your Lordships pleasure, to impose  
 “ these rules upon us, as *terms upon which* we are per-  
 “ mitted and *indulged*, &c. I confess,—though—I do  
 “ not deny to the King’s Majesty his *just* power about  
 “ matters ecclesiastical, allowed him by the Word of  
 “ God, and practised by the godly reforming Kings of  
 “ *Judah* ; yet I dare not, because of the awe of God  
 “ upon me, do any thing, as my own proper fact and  
 “ deed, that will involve me in such approbation and  
 “ compliances, contrary to my conscience ; such as the  
 “ acceptance of the *rules* under the notion of *terms* upon  
 “ which, &c. or the observance of them imposed as  
 “ orders, would do.” Upon this he prayed for the  
 free and full exercise of his ministry, without any strait-  
 ning impositions.

He also drew up another paper, containing short and  
 solid reasons, why *Presbyterian* Ministers could not, in  
 their practice, fall in with the rules commanded by the  
 council ; but as I have already given an extract of the  
 grievances of several *Presbyterian* Ministers as to the *in-  
 dulgence*, and particularly the reasons of Mr. *John Bur-  
 net*, p. 326, &c. 343, &c. I must refer the reader here  
 to Mr. *Wodrow*, p. 430, and 431. Some other things  
 relating to the *indulged* will come in afterwards.

Mean while the Council having appointed Committees to sit in several parts of the kingdom ; that of *Glasgow* sat down on the sixth of *April*. Sir *Geo. Maxwell* of *Nether Pollock* (p. 294.) and his Son Sir *John*, Sir *Arch. Stuart* of *Castlemilk*, the Laird of *Dunlop*, *Ja. Hamilton* of *Aikenhead*, *Gab. Hamilton* of *Westburn*, Mr. *Hugh Corbet* of *Hargray*, Mr. *Ninian Hill* of *Lambhill*, *Pat. Hamilton* of *Neilsland*, gentlemen ; Messrs. *And. Mortoun*, *Hugh Smith*, *Mat. Crawford*, *James Wodrow* (after the revolution Professor of divinity at *Glasgow*) Ministers ; *John Johnston*, and *Matthew Cumming*, merchants in *Glasgow*, and others, were summoned before them to declare upon oath, what *Conventicles* they had been at since 1674, what children they had baptized, and whether they had received or harboured *intercommuned* persons. The two first, through the interest of some of the members, got off without swearing. As none of the Ministers and Preachers appeared, so they were declared rebels, and the soldiers had orders to apprehend them wherever they could. The rest refusing to swear were reputed guilty ; and after being fined for as many *Conventicles*, as the Committee thought fit, were imprisoned at *Glasgow*, and from thence sent to *Edinburgh*, where they continued in Jail for some months.

During which time several occurrences happened. The Council met on the 26th of *April*, when they had a letter from his Majesty, dated the second of *January*, signifying his royal pleasure to take off the restraint from the Bishop of *Dumblain* (p. 364, &c.) and from the four Ministers, Messrs. *Turner*, *Robertson*, *Cant* and *Hamilton*, ordering the Council to act accordingly ; with which they complied.

At the same meeting, the better to suppress *Conventicles*, the Council extended their proclamation of the 8th of *April*, 1669 (p. 278.) to the whole kingdom, whereby every Heritor, on whose estate any *Conventicle* should be held, was to be fined in fifty pounds *sterling*. However, it was easy for the managers to overlook themselves in this case, and they would, doubtless, take care of that.

1676.  
Persons  
summoned  
before the  
Committee  
at Glas-  
gow.

Bishop of  
Dumb-  
lain, &c.  
restored.

Further  
Proceed-  
ings of the  
Council

1676.

Next day, the Council ordered lists of *intercommuned* persons, and such as were denounced and declared fugitives, to be transmitted to all Sheriffs and Magistrates of burghs, in order to their being apprehended. And being informed of some *Conventicles* in the shire of *Air*, they appointed the Earl of *Dumfries*, and others, to enquire into these things, and punish the guilty.

The *indulged* Ministers having got a charge of horn-ing, to pay the ordinary dues to the Clerk and burfar of the *diocesan* Synod of *Glasgow*; the most in that Synod made payment, except Messrs. *Anthony Schaw*, *Alex. Wedderburn*, *Ralph Roger*, *George Ramfay*, *John Spalding*, *John Bell*, *Robert Boyd*, *John Wallace*, *Robert Bell*, *William Tillidaff*, *William Maitland*, *Andrew Hutcheson*, *Thomas Wylie*, and *Gabriel Cunningham*. Wherefore *Fairfoul*, the Synod Clerk, got a horning against them; and, on the first of *June*, gave them warning, that he was to distress them. They represented their case in a petition to the Council: but though no answer is recorded, yet it seems the matter was dropt.

As the *indulgence* was very dissatisfying to many conscientious people, so, about this time, some young Preachers began to preach on the Lord's Day, in the borders of some of the parishes of the *indulged*, which they apprehended was unnecessary, since they constantly preached themselves, and that it would tend to divide and distract the people; but the truth is, the *indulgence* itself, and the accepting of it, was the occasion of the divisions that afterwards broke out.

On the fifth of *June* the Council received the reports from their Commissioners for trying *Conventicles* in *Aberdeenshire*, *Glasgow*, &c. and found that the Lady *Polmaïs* in *Stirlingshire* had been before them, and declared upon her honour, that she was free from what they charged her with; but refusing to swear to their questions, had committed her case to the Council. The Laird of *Balgony* and his Lady, with Lady *Kennet*, were ordered to be *denounced* for not appearing before these Commissioners. And Mr. *Hugh Campbel* was ordered to be summoned before the Council, for preaching at *Muirkirk* without a presentation; and the Magistrates



of *Glasgow* were appointed to produce Mr. *Alexander Gordon*, or his Sureties, for holding a Conventicle there. 1676.

The same day, the Council referred the processes against the Lairds of *Nether-Pollock*, *Torrence*, and *Dalduy*, for keeping of Conventicles, to the Commission for public affairs.

About the middle of this month, the following accident produced some remarkable alterations. While Mr. *James Kirktonn* (before the Restoration Minister at *Martin*, and Minister in *Edinburgh* after the *Revolution*) was walking in the street of *Edinburgh*, he was civilly accosted by one Captain *Carstairs*, together with *James Scot* of *Tushilaw*, and a Footman. As Mr. *Kirktonn* was going aside with *Carstairs*, he asked *Scot* who he was; to which *Scot* replied with silence and staring; whereby *Kirktonn* found he was trepann'd and a Prisoner. *Carstairs* brought him to the house of one *Alexander*, a † Messenger, and sending off *Scot* and his footman, carried him into a dark room. Then *Kirktonn* asked, what he meant? *Carstairs* replied, Sir, you owe me money. Mr. *Kirktonn* asked, whom he took him for? *Carstairs* said, *John Wardlaw*. *Kirktonn* undeceived him, and ingenuously told him who he was; to that the other said, he had nothing to say to him.

After they had been together about half an hour, Mr. *Robert Bailey* of *Jerviswood*, a relation of *Kirktonn*'s, together with *Andrew Stephenson* and *Patrick Johnston*, Merchants in *Edinburgh*, being informed of Mr. *Kirktonn*'s circumstances, came to the door, and called to *Carstairs* to open, asking what he had to do with a man in a dark dungeon? *Carstairs* refused to open the door, and drew out a pocket pistol. Whereupon *Kirktonn* grasped his adversary, and in the struggle both fell on the ground, and *Kirktonn* called out, *Murder!* Then *Jerviswood* and the two that were with him, burst open the door and parted them, without offering any violence to *Carstairs*, and rescued their friend.

Upon the misrepresentation of this affair to Lord *Haltoun* by *Carstairs* and *Scot*, a Council was immediately called; to whom *Haltoun* told, that some of their public officers had catched a *Fanatic* Minister, but that he had

1676. been tumultuously rescued. *Jerviswood* was brought before them, and gave them a faithful account of the affair, so that the Council would have dropt it, had not *Skarp* said, If *Carstairs* was not supported, and *Jerviswood* made an example of, there would be no prosecuting of the *Fanatics*. And therefore next Council Day, June 22, *Jerviswood* was fined in five hundred pounds *sterling*, and kept four months in prison, before he was released. He paid two thousand *Merks* of his fine to *Carstairs*, and with no small difficulty was forgiven the rest. The Council referred *A. Stevenson* and *Pat. Johnston* to the Committee for public affairs, by whom they were fined; the former in a thousand pounds *Scots*, and the latter in a thousand *Merks*, and ordered to remain in prison till payment.

*Remarks.* This was reckoned great Injustice; for though it was pretended, that *Carstairs*'s was a commissioned officer, and had produced his commission for apprehending ejected Ministers, &c. at the Council Board; yet he produced no warrant to *Jerviswood* and the rest, when they rescued Mr. *Kirkcoun*. Bishop *Burnet* tells us, "That *Bailey* asked him, what warrant he had to use him as he did? and that *Carstairs* said, he had a warrant to carry him to prison, but refused to shew it.— And after he had made *Kirkcoun* go out, he said he was resolved to pursue *Carstairs* for this riot; but, says *Burnet*, before the next council day, a warrant for committing *Kirkcoun* and six or seven more, was signed by nine Privy-Councillors, but antedated. Lord *Atbol* told the Doctor, that he was one who signed it." So that Mr. *Wodrow* justly observes, that the managers went upon a base forgery.

*Changes in the Council.* Mean while Mr. *Kirkcoun* sent a true narrative to the Dukes of *Lauderdale*. When the Duke saw it, he seemed surprized, and owned he had never met with two such different accounts, as that sent by *Haltoun*, and this by Mr. *Kirkcoun*. Soon after, Mr. *Kirkcoun*'s letter and information were sent to the Council. *Haltoun* was enraged at this, and misrepresented all who had spoke in favour of *Jerviswood*, as if they had agreed to subvert lawful authority, and were combined against the King,

King, and for the *Fanatics*. Accordingly, a new nomination of the Council came down ; and all who would not submit to *Haltoun* and the *Primate*, were left out, as Duke *Hamilton*, who had spoke much in defence of *Ferviswood*, the Lord Privy-seal, the Earl of *Kincardin*, the Earl of *Dundonald*, and others. *Kincardin* and a few more went to court, and laid the affair before the King, but without any effect.

1676.

For, on the 20th of *July*, a new commission of Council was sent down, wherein the Archbishop of *St. Andrews* was appointed to preside in the absence of the Chancellor. And the same day the two Archbishops, the Lord Privy-seal, the Earls of *Argyle*, *Mar*, *Murray*, *Linlithgow*, &c. or any three of them, were appointed their *Committee for public affairs*, and received commission and authority to meet, when and where they pleased, and to take trial of *Conventicles*, *invasions of pulpits*, &c. with power to summon, apprehend, bring under bond, and give what orders, they thought proper, to the Forces, Sheriffs, and other Magistrates, and to consider the condition of prisoners, and to do all things necessary for his Majesty's service, and make report to the Council.

Committee  
for public  
affairs.

And now *Prelacy* was at the height, when the two Archbishops, with any third creature, had, in a manner, the whole management put into their hands. What a low pass religion and liberty were in, when the *Primate* and other two, in his chamber, might give what orders they had a mind, must be left with the reader.

Remarks.

The same day the Council had before them several who had been imprisoned by the Committee at *Glasgow* (p. 391.) and fined them as follows, viz. *James Hamilton* of *Aikenhead* one thousand pounds Scots, Mr. *Hugh Corbet* of *Hargray*, Mr. *Ninian Hill* of *Lambhill*, and *Gabriel Hamilton* of *Westburn*, one thousand Merks each ; *Patrick Hamilton* of *Neilsland*, three hundred pounds ; *Math. Cumming*, two hundred pounds. What came of the others formerly mentioned, is not known : but as *Alex. Wardrop* of *Demarnock* gave his oath, and confessed his being at one *Conventicle*, he was fined only in fifty merks ; and they were all ordered to remain

Sundry  
fined.



1676. in prison till they paid their fees, which they quickly did.

*Powers to  
inferior  
Officers.*

The Committee of Council ordered all Sheriffs, &c. to summon before them all, who should be informed against by the *conformable* Clergy, and to fine and imprison them, and give an account of their diligence to the Council. These Under-officers summoned multitudes; but people finding they must give their oath, *super inquirendis*, did not appear, and were therefore declared fugitives, and afterwards *intercommuned*. This obliged many to wander from place to place. However, God remarkably appeared for them, raised up friends to supply their necessities, and support them in their distresses. But this dispersing of Ministers and people tended greatly to the spreading of the gospel. They who formerly preached to a few, in private houses, now preached to multitudes in the fields, with great success, tho' at the utmost hazard. And as the vicious lives of most of the *prelatical* Clergy hardened many in their wickedness, so the faithfulness, integrity and holy zeal of these *confessors*, were convincing proofs, that there was a reality in religion, especially considering the remarkable judgments, that now and then fell upon their merciless persecutors.

*The King  
writes to  
the States.*

Such was the persecuting spirit, that raged at this time, that it reached to places out of his Majesty's dominions; for, by the influence of *Sharp*, the King was prevailed with to write to the *States General* of the *United Provinces*, to remove *James Wallace*, Messrs. *Robert M'Ward* and *John Brown*, out of their provinces (p. 113, 147.) It is likely this *James Wallace* was the Colonel of that name, who was engaged at *Pentland*. But the *States* being convinced of the unreasonableness of this demand, especially as Messrs. *M'Ward* and *Brown* had complied with the sentence passed upon them in the years 1661 and 1662, would not comply with it; and gave notice to Lord *Benningen* their Embassador in *England*, to communicate their resolution in the most prudent way he could. The curious reader may see a translation of the resolution of the *States*, dated the 31st of *July* in *Wardow*, vol. i. p. 434, 435.

Though

Though our Managers could not obtain their ends abroad, yet they increased the persecution at home; for on the third of *August*, the Council intercommuned Mr. *James Kirkcoun*, *Alexander Lennox*, *John Rae*, *David Hume*, *Edward Jamison*, *Robert Lockhart*, *John Walwood*, *John Weir*, *Andrew Donaldson*, sometime in *Dalgety*, *Thomas McGill*, *James Wederburn* in *Cowpar*, *Thomas Douglas*, *Fran. Irvine*, *Alexander Bartram*, and *Alexander Wilson*, and renewed their commission for suppressing *Conventicles* in the northern shires, with a particular eye to *Bamff*. They likewise past sentence against a vast many, in their absence, above forty or fifty in *Fife*, and about thirty or forty more in *Churnside* and the country adjacent.

1676.  
Proceed-  
ings of the  
Council,  
Aug. 3.

The same day, Mr. *Alexander Forester* was, by the Council, ordered to the *Bass*, and Mr. *William Erskine* and the Laird of *Bedland*, both in *Stirling Castle*, to *Dumbarton*. At the same meeting Mr. *Robert Steedman*, Minister at *Carridden*, Mr. *George Haliburton*, Minister at *Dalgety*, and Mr. *James Duncan*, in the family of *Balbousie*, were denounced for keeping *Conventicles*, as were *Alexander Gordon* of *Knockbreck*, *Henry McCulloch* of *Bernholm*,—*Hay* of *Arrowland*, the old Lady *Menreth*, *Robert McClellan* of *Barmagachan*, *Patrick Vance* of *Drumblair*, all in *Galloway*; *Thomas Blackwell* and others in *Glasgow* were denounced for alledged harbouring of intercommuned persons. And Mr. *Douglas* of *Cavers* was summoned to appear for keeping Mr. *James Osburn*, as his Chaplain, without the Bishop's licence; but not appearing, they were both denounced and outlawed.

Whether this was the Reverend Mr. *Osburn* who was, after the revolution, Professor of Divinity in the *Marshall College* of *Aberdeen*, I know not; but I am assured by his son, the present Reverend Principal of that University, that he was a very great sufferer in this period; but that, such was his modesty, he declined speaking on that subject; so that the particulars are not known.

The same day, *August* the third, Mr. *Ker* of *Kersland* (p. 314.) was sent along with *Jervisewood*, prisoner, to *Sterling Castle*, where he continued some time. From thence

1676. thence he was sent back to *Dumbarton*, and lay there till *October*, 1677. The reader may now see how much business was transacted in one day; but as the persons were mostly absent, the processes could not be tedious, since the Committee for public affairs had prepared every thing for voting.

Mr. Andrew  
fined.

On the sixth of *September*, *Robert Andrew* in *Culross*, was fined in fifty pounds *Sterling* for keeping *Conventicles*.

Mr.  
M'Gilligen's  
sufferings.

On the 11th of *October*, the Council being informed that Mr. *John M'Gilligen* (p. 378, 379.) was apprehended in *Murray*, ordered him to be brought to the prison of *Edinburgh*. The sufferings of this valuable person, since the establishment of *Prelacy*, were many. The manner of his being apprehended was remarkable. Being called to baptize a child of his dear brother Mr. *Hugh Anderson*, he staid at his house all night. And that night, at three different times, he dream'd, that there were three men come to the house to apprehend him. Though he was no observer of dreams, yet the repetition of the same thing, made him thoughtful. He committed his case to God, and had scarce got up and was dress'd, when three of *Seaforth's* servants came and seized him, and carried him to *Fortrose*, where he was some time in prison, and in a speech to the Provost, bore an excellent testimony against *Prelacy*.

From thence he was sent to *Nairn*, from that to *Edinburgh*, and from that to the *Bass*; where, for some time, he was not allowed a servant to make his bed; being forced to do all these servile offices for himself. But he has left it on record, that *the upper springs flowed liberally and sweetly, when the nether springs were imbittered to him*. And though, through the interest of Lord *M'Cleod*, he had afterwards some more liberty, yet here he contracted that gravel, that put an end to all his sorrows.

On the 12th of *October* Mr. *William Bell* and *Robert Dick* were both sent to the *Bass*, for a *Field-conventicle* near *Pentland-hills*.

On the 6th of *November*, the Council being informed that Mr. *Patrick Hamilton*, brother to the Laird of *Halcraig*,



*craig*, had preached in a private house at *Edinburgh*, 1676. fined Mrs. *Mary Hepburn Lady Saltcotes* in 200 l. *Scots*, and her daughter Mrs. *Mary Liddingtoun* in 200 *merks* for being present; and sent *Mary Haldane* and *Bessie Muir* to prison, till they should find bail, for a thousand merks each, to remove from the town of *Edinburgh* and six miles round it. At the same *federunt*, they released Mr. *Andrew Kennedy* of *Clowburn*, upon a bond of ten thousand merks, to appear when call'd, though nothing criminal could be proved against him.

*Sundry  
parlous fin-  
es, &c.*

And such was the zeal of the managers, that on the *Dunlop* of 30th of *November*, the Council fined *James Dunlop* of *Houshill* in the shire of *Renfrew*, in the sum of a thousand merks for neglecting his duty in suppressing *Conventicles*, and declared him incapable of acting any more as *Bailie* + *Apre-* depute of the + regality of *Glasgow*. No mismanage- *ment* could be laid to his charge, further than that he only he could not keep pace with the *Prelates* in persecut- *ing* those who heard the gospel. However, he was af- *terwards* restored to his office, but being unacceptable to the Archbishop and others, he did not long continue in it.

*† Apre-  
cinct enu-  
ed with  
some royal  
preroga-  
tives.*

On the 7th of *December* Mr. *John Law*, late Mini- *Mr. Law* ster at *Campsie*, being called and not appearing, was *denounced*. He was charged for keeping *Conventicles*, invading pulpits, and being concerned in the ordaining persons for the ministry. Two days after this, the town of *Edinburgh* was fined in fifty pounds sterling, for a *Conventicle* lately held there.

I shall now end the transactions of this year, with an account of some, who suffered; but the particular dates I know not.

For several years, the reverend Mr. *Andrew Donald-* *Mr. Do-* *son* (p. 189.) late Minister at *Dalgaty*, continued to *naldson's* preach in a Gentleman's house in that country, till, *sufferings* through the instigation of the *Prelates*, he was *inter-* *communed* on the 3d of *August* this year. He was now old and infirm. He did not chuse to preach in the time of publick worship, only sometimes on the sabbath evening to his own family, and a few others who came to hear him. For this cause a party of soldiers came one night, and carried him out of his bed,

1676. to the prison of *Linlithgow*, where he continued more than a year. The commander of the party, by whom he was thus apprehended, died under great horror of conscience, for the part he acted in his matter. In the months of *April* or *May* 1679, he gave the Earl of *Argyle* warning of his after sufferings and death, as that noble peer told several in the castle of *Edinburgh*, a few days before his martyrdom. Mr. *Donaldson* continued under trouble till the year 1687.

Mr.  
M'Laurith.

† Goods  
and Chat-  
tels.

*Gilbert M'Laurith* of *Dinnurchie*, a Gentleman of a moderate estate in the shire of *Air*, was this year inter-communed, merely for not appearing. In the year 1680 he was forfeited with many others in absence, and the gift of his estate and † moveables was made over to the Earl of *Glencairn*. His wife and children were very rudely treated, being expell'd their house with nothing but their cloaths on their back, and a child in the cradle. All this and much more was proved before the committee of parliament after the REVOLUTION.

1677. In the year 1677, things grew still worse and worse: As several Ministers were obliged last year to retire, such as Masters *Wells*, *Gabriel Semple*, *Samuel Arnot* and *John Scot* of *Hawick*, so they were very useful in *Cumberland* and *Northumberland*, reclaiming sinners, and instructing many, who scarcely had the gospel ever preach'd among them before. Some went also to the north of *Ireland*, where they were of great service.

A meeting  
of Mini-  
sters.

M'Ward's  
contend-  
ings.

p. 20, 21.

In the beginning of this year, a great number of presbyterian Ministers indulged and not indulged assembled at *Edinburgh*. Mr. *Ralph Rogers* was chosen moderator. Some, such as the reverend Mr. *M'Ward*, look'd upon this as an *eraastian* meeting, since several of the indulged were members of it, and since the motion made by the reverend Mr. *Blackadder* was treated in a manner with contempt; for when he proposed, that they should first set some days apart for fasting and humiliation on account of their defections, some cried out *divisive*, *divisive*, and others, come let us unite.

P. Wal-  
ker's p's-  
sages of  
Wel-  
wood.

Mr. *Welwood*, Mr. *Cameron*, and a third were called, before this meeting for preaching separation from the actually indulged; but they declined them, as a lawfully constitute

constitute and qualified judicatory. But, be these things as they will, these Ministers, thus assembled, did not take upon them the authority of a general assembly ; but gave it as their opinion, that the sentences inflicted on the *Protestors* 1661 (p. 86, 87.) should be reversed, and that the *indulged* and *not indulged* should preach with one another without distinction, and that the *indulged* should not *confine* themselves *only* to their own pulpits. They had likewise a good deal of debate concerning *indefinite ordination* ; whether, especially *in the persecuted state of the Church*, Ministers might not be ordained, without any prospect of a settlement among a particular congregation ; but they came to no resolution.

Conventicles still abounded, notwithstanding the sanguinary laws in force. Mr. *Welsh*, &c. returned to the south and west in the spring. The Sacrament of the Lord's Supper was administered in the fields, near the water of *Girvan* in the shire of *Air*, where thousands were present, and great success attended the preaching of the gospel on that occasion.

As a price was set upon Mr. *Welsh*'s head, so he still travelled about with some of his friends, armed in their own defence. The *conformable* Clergy magnified these meetings, as if the whole of the *Presbyterians* were in arms ; and the *Bishops* gave out that an insurrection was intended, when such a thing was the farthest from any of their thoughts. But I shall lay before the reader the various occurrences in order.

On the 6th of *January*, a letter came from the King D. Hamilton. to the Council, making void all the commissions, about the militia, formerly granted to the Duke of *Hamilton*, which no doubt they carefully intimated to him.

On the 28th, Mr. *James Frazer* of *Brae* was apprehended, about ten at night, when engaged in family worship, and carried directly to prison. He had his share of sufferings during the preceeding years, was one of those who had been *intercommuned* about two years before : but none, whom he valued, ever shunned his company for that. Mr. Frazer apprehended.

He was, next day, brought before a committee of *Examined* Council, but, as he himself relates it, was charged with *before a*



1677. no crime, but only examined, and verbally accused as a seditious person, who did rend the Church of Christ. That the reader may have a specimen of their ensnaring proceedings, I shall mention a few of their questions, with his answers.

*Qu.* Did you ever preach in the fields? *Ans.* Your Lordship knows, that *that*, according to your law, is criminal; and I am not obliged to be my own accuser. It is enough that my throat be cut, though I do it not with my own hands. If you have a mind to stage me on that, bring my accusers, and then proceed, as your Lordship thinks fit. *Bishop.* Though these shifts be taken from others, yet they must not, Sir, be taken so from a man of parts. *Dundonald.* Sir, you would gain the goodwill of the committee, by being ingenuous and free. I assure you, none of us have any ill will at you, or intend to take any advantage of you, or of any of your party, from any thing you say. *Ans.* I thank your Lordship. *Haltoun.* Did you ever preach at *Linlithgow*? *Ans.* It may be I have. *Bishop.* Yes, Sir, you have, and in the fields there too, and that to great *Conventicles*. *Ans.* I desire that may be proved. He was likewise interrogate as to his principles concerning government, and frankly owned his aversion to *prelacy*; but, says he, “as to my *loyalty*, I would not care much, though “you all saw what was in my heart † anent it.” In short, nothing was proved against him.

† concerning.

After his examination, he was remitted to prison. His pockets were searched for letters, &c. and all company discharged. But he remarks, that “the Lord was a “light round about him, and him they could not shut “out.” Next morning, he was awakened by one of the jaylors, and ordered to make ready to go immediately to the *Bass*; for so the Council had appointed. Accordingly, he and Mr. *James Mitchel*, who had endured the torture, were conducted thither by a party of twelve horse and thirty foot. He remained there two years and a half. But after the affair of *Bothwell*, the King granted an *indemnity*, and ordered that all prisoners for *nonconformity*, who had not been in that rising, might be set at liberty. Accordingly, in July 1679, he and other Ministers were brought from the *Bass* to the prison of

Edinburgh,

*Edinburgh*, and in twenty four hours time, upon finding bail for 8000*l.* sterling, to appear when call'd, were set at liberty. Sir *Hugh Campbel* of *Calder* was bail for Mr. *Frazer* in the sum of 5000 merks *Scots*; nevertheless he continued in a wandering condition till *November* 1681, when we shall meet with him again. 1677.

On the 1st of *February* Mr. *Hogg* (p. 87, 271.) and Mr. *Hog*. Mr. *McGilligen* (p. 271.) were ordered by the Council to be brought from the north. The former was committed to the common jail at *Edinburgh*, and the latter sent to the *Bafts*.

On the 8th Mr. *Andrew Forester*, having been lately apprehended in *Fife*, was brought before the Council, and ordered to be kept close prisoner in *Edinburgh*. There had been a meeting of about fifty or sixty of the ejected Ministers on the 20th of *May* 1676. Mr. *Forester* was Clerk to the meeting, and when he was taken, their minutes were found about him, and upon his refusing to relate the particular circumstances of it, he was imprisoned as above. Mr. Forester.

The same day, *Scot* of *Pitlockie* was sent to the *Bafts*, and *Thomas Blackwell*, *William Stirling* and *Robert Fork* were ordered to be brought in prisoners to *Edinburgh*. An information was given to the government after the revolution, that Mr. *Blackwell* was committed to prison 1677 for Conventicles, when under a most violent fit of the gravel. But one night, the door being open and the jailor drunk, he and *William Stirling* a fellow prisoner got out, for which the Magistrates of *Glasgow* were fined in 10000 merks, but the most of it was remitted after the indemnity 1679. Mr. *Blackwell* was pursued by those, who were bail for the jailor, and again committed to prison, where he continued for a long time much afflicted with the gravel, and was obliged to transact for 7000 merks to his pursuers, the greatest part of which he paid, though *William Stirling* was not at all pursued. Mr. Blackwell.

This year, the excellent Lord *Cardross* (p. 373, 375, 386.) suffered further hardships. However, on the 8th of *February* he was permitted to go out of prison till the 18th on account of his Lady's illness. Lord Cardross.

1677.

*A popish  
Lord em-  
ployed.*

On the 13th, the Council gave a commission to Lord *Maxwel a Papist*, to apprehend *presbyterian* Ministers and others, and to levy five thousand merks of fines lately imposed on the parish of *Dunscore* for a riot. Such was their zeal against *popery*!

On the 22d *Robert Blae* and *William Grey* of *Culrofs*, were severely fined for *Conventicles*.

*Seaforth  
reprimand-  
ed.*

On the 1st of *March*, the Council wrote to the Earl of *Seaforth*, severely reprimanding him, for granting a warrant to the sheriff of *Nairn*, to give some liberty to Mr. *McGilligen*; for they had been informed, that that sheriff had kept him as a Chaplain, and suffered him to preach and keep *Conventicles*. The same day, they allowed Lord *Cardrofs*, to go about his affairs upon a bond of 100 *l.* sterling, for every offence committed by him or his lady, which we shall find was afterwards rigorously executed.

*Further  
proceedings  
of the  
Council.*

Great care was taken, at this time, to have the youth educated to their mind. Accordingly, on the 6th of *March*, the Council made an act, discharging all students from being admitted to academical degrees, unless they took the oath of *allegiance* and *declaration*; and signifying, that the masters should be deprived, if they conferr'd any degrees upon other terms. The same day letters were ordered to be sent to the sheriffs, bailies of regalities, &c. to encourage them, in prosecuting those who went to *Conventicles*, by informing them, that they were to have the fines of all below heritors, for their own use. They likewise appointed the Earls of *Linlithgow* and *Wintoun*, the Lords *Elphinston* and *Belhaven*, the Treasurer-depute, the Advocate and Lord *Collingtoun*, or any three of them, to be the committee for publick affairs.

*Mr. Ha-  
milton  
translated.*

The Bishops being, it seems, displeased, that many went from *Edinburgh* to *Dalmenie*, to hear Mr. *Alexander Hamilton* the *indulged* Minister of that place, the Council on the 7th of *March* removed him thence to *Dalserf*. The compliances of some of the *indulged* gave offence to many, being judged inconsistent with *presbyterian* principles.

*Councils  
proceedings*

On the 4th of *April*, the Council, in a letter to *Lauderdale*, complained of the increase of *Conventicles*, be-



cause when the preachers or hearers were prosecuted they repaired to *England*: And therefore they earnestly begg'd that his Majesty would provide a remedy for this evil.

1677.  
against  
Conventi-  
cles.

On the 2d of *May*, letters were sent, by order of Council, to many of the royal burghs, to be more careful in suppressing of *Conventicles*; and the same day, *Robert Bennet* of *Chesters* was brought before them for being at a field-meeting, where they alledged the King's forces were resisted; and the soldiers, who apprehended him and *Mr. Blackwell*, were allowed ten pounds sterling each out of the fines. Orders were likewise sent to *Colonel Borthwick*, to place guards at the gates of the city of *Glasgow* on the sabbath day, to prevent people from going thence to these meetings: Nay, they discharged all the ejected Ministers, who did not enter into their confinement 1672, from entering into any Churches, declaring that for the future, they would *indulge no more*. This doubtless was very acceptable to the *Prelates*.

Next day, *May* 3d, the Earl of *Dumfries* represented to the Council, that *Mr. William M<sup>r</sup> Millan* of *Caldow* in the parish of *Balmaclellan* in *Galloway*, had, for some time, been imprisoned at *Dumfries* for *nonconformity*, and prayed that he might be let out and confined to the bounds of his own parish, which was complied with. This excellent person, after the establishment of *prelacy*, was greatly persecuted by *Mr. Moir* the episcopal Minister, and *Sir James Turner*, so that he was obliged to leave his mother's family, to disperse his own, and live as a fugitive, the best way he could. Though he was not at *Pentland*, yet *Sir William Banantyne* quarter'd his men on his family, detain'd him and several others prisoners in the house of *Earlstoun*. His house was spoil'd, his furniture seized, though he had given a bond, under the penalty of a thousand pounds, to answer the Council or justiciary, for any thing that could be laid to his charge. This Gentleman went frequently to *Ireland*, till at last he was licensed to preach 1673 by the *presbyterian* Ministers of the county of *Down*. When engaged in this work, he was informed against by the

*Sufferings*  
of *Mr.*  
*M<sup>r</sup> Millan*  
of *Cal-*  
*dow*.

Earl

1677. Earl of *Nithsdale*, and the *prelates*, who sent two of his militia troop, with some other violent *Papists*. These apprehended and carried him prisoner, first to *Kirkcudbright*, and then to *Dumfries*, where, without any accusation, he was continued prisoner thirty five months without intermission, to the great prejudice of his health.

Mr. J.  
Drummond.

On the same 3d of *May*, Mr. *James Drummond* was ordered to be brought to the Tolbooth of *Edinburgh*, because when formerly set at liberty (p. 363.) he engaged not keep *Conventicles*, and yet was taken preaching; and the committee for publick affairs, in their report to the Council, gave it as their opinion, that he should be sent to the *Baſs*. My author observes, that, if he made such a promise, he was almost the only *presbyterian* Minister that did so, at this time; that they all gave bond to appear when call'd, but none of them would engage not to preach.

Committee's report, &c.

On the 28th of *June*, the committee for publick affairs reported, to the Council, their proceedings against the *presbyterian* Ministers in their hands. My author has inserted their report at large, Vol. I. p. 447, &c. to which I must refer the reader.

The same day, the Council fined Mr. *Bennet* of *Chesters*, in 400 merks for *Conventicles*, and for hearing and conversing with Mr. *Welsh*, and ordered him to remain in the *Baſs* till payment: They likewise fined *Adam Stobie* of *Luscar* in 3000 merks, and after he paid the fine, he was banished the kingdom.

Mr. Anderson  
fined.

The same day, *John Anderson* of *Dowhill* younger (several times Provost of *Glasgow* after the revolution) was brought before the committee for publick affairs, and accused for being at many *Conventicles*, and for a series of nonconformity, but refusing to swear was reputed guilty, And, because he would not hear his parish Minister, was fined in 500 l. sterling, and to lie in prison at *Edinburgh*, till he paid it. He remained there till the beginning of *October*, when he was released upon his paying 2000 merks.

Mr. Robert Trail.

On the 19th of *July*, Mr. *Robert Trail*, son to Mr. *Robert Trail*, Minister at *Edinburgh*, was brought before the Council, and acknowledged, that he had kept

House.

House conventicles. But being ask'd, if he had preach'd at Field-conventicles, he referr'd that to proof, because the law made it capital. He owned, he had conversed with Mr. *Welsh*, when on the *English* border; and that he was ordained to the ministry by *presbyterian* Ministers at *London* 1670. But he peremptory refused to clear himself by oath, and was therefore sent to the *Bass*. Major *Johnston* got a thousand pound *Scots* for apprehending him. This Mr. *Trail* was, after this, an useful Minister to a congregation of *Protestant* dissenters in *London*. His sermons on the *throne of grace* and on the *Lord's Prayer*, *John* xvii. 24. are much esteem'd by many.

The same day, that Mr. *Trail* was before the Council, they gave a commission to Sir *William Murray* of *Stenbope*, and to some officers of the militia to disperse the Conventicles in the shire of *Peebles*.

On the 24th of *July*, Sir *Alexander Bruce* of *Broomhall*, for not obliging his tenants to subscribe the bond, was fined in 1200*l. Scots*. And the same day, they made an act, ordering heritors to be summoned for Conventicles, as well as tenants, in order to be made liable for their fines, if it should appear, they had not obliged them to subscribe the bond, as required by the proclamation the 18th of *June* 1674 (p. 359.) which put multitudes of Gentlemen to a great deal of trouble. Accordingly, *James Smith* of *Tullochshaugh*, and many heritors, in the shires of *Lanerk* and *Renfrew*, were charged to appear before the Council, on the 7th of *August*, to be examined as to their being at Conventicles, their neglecting to take bond of their tenants, and to give their oath upon these articles, otherwise to be accounted guilty. The summons to *Tullochshaugh* was dated the 28th of *July*, two days after the Council granted the prisoners in the *Bass* liberty to walk every where above the walls, except Mr. *James Mitchel*, who was ordered to be kept closely confined.

But before I proceed to relate, what immediately followed upon these proceedings, it seems proper to observe, that either in *June* or *July* this year, the Duke and Dutches of *Lauderdale* came down to *Scotland*, and that

1677.

Heritors  
summoned.Lauder-  
dale comes  
to Scot-  
land.



1677. that one of the Dutcheſs's daughters by her firſt huſband, was married to the Lord *Lorn*, afterwards the firſt Duke of *Argyle*. The other was deſign'd for the Marquis of *Arhol's* eldeſt ſon, but that did not take effect.

*Minifters applied to him in vain.* The *Prebyterian* Miniſters in *Glaſgow*, *Paiſley*, *Irwin* and *Hamilton*, judging it proper to addreſs his Grace, pitch'd upon Mr. *Matthew Crawford* to go to *Edinburgh* to conſult with Mr. *John Carſtairs*. A meeting of Miniſters there approving the motion, employed Mr. *Anthony Murray*, a relation of the Dutcheſs of *Lauderdale*. He got acceſs to the Duke, and humbly entreated his Grace, to interpoſe with the King, for taking off the letters of *intercommuning* laid on ſo many Miniſters, and releaſing their brethren in the *Baſs* and other places, and that they might have liberty to meet for drawing up a ſupplication to the King's Maſteſty. The Duke told him, that he was ready to do all the ſervice he could to *him*; but would grant no favour to *that party*, being (as he ſaid) unworthy of any. From this the Miniſters concluded, that evil was determined againſt them. However, next Council day, when ſeveral Lords repreſented, that the preſſing of the *bond* would ruin their tenants and lay their lands waſte, the Duke began to talk pretty openly of a *third* INDULGENCE, and ſoon ſignified his inclinations to ſundry *preſbyterian* Miniſters, by Lord *Melvil*. But when the two Archbiſhops complain'd of this to the Duke, it is ſaid, he told them, that he intended no liberty to the *Preſbyterians* at all; but it was convenient to keep them in hopes, till an army was raiſed to ſuppreſs them; and *this* was now in agitation.

*A 3d indulgence for amuſement.* On the 2d of *Auguſt*, *John Cunningham* of *Bedlane* (p. 274, 313.) was releaſ'd upon giving bond and ſecurity to re-enter when called. Then the Council emitted a new proclamation, by which all heritors, † wadſetters and liſerenters were required to engage themſelves by a bond, not only for themſelves and families, but for all that lived under them, that they ſhall not keep or be preſent at any *Conventicle*, or baptize or marry with ejected Miniſters under the higheſt penalties contained in the former acts. See Mr. *Wodrow's* Appendix N<sup>o</sup> 79.

The

The same day, Lord *Cardross* was summoned to appear, on the 7th of *August*, before the Council, for two *irregular baptisms*, two of his children having been baptized by persons, who were neither his own parish Ministers, nor licensed by the Council. His Lordship gave them a plain representation of the case, acknowledging that, during his long confinement, he had a child born in the town of *Edinburgh*; but not being permitted either to attend his Lady in her labour, or discharge the other duties relating to the child, he was not in a capacity to conform to the act of parliament in that case; he only knew, that the child was truly and christianly baptized, but never enquired by what Minister it was done. But notwithstanding this, *Cardross* was fined in half a years valued rent:

1677.  
Lord Car-  
dross fined.

The same 7th of *August*, the Lady *Kinkell* was fined in 5000 merks, and the Lady *Pitlochie* in 1000, for being at *Conventicles*.

And to render the ends of the last mentioned proclamation the more effectual, the Council, on the same day, erected a kind of *High-commission*, authorising several Noblemen and Gentlemen to put the laws against *Conventicles* and other *disorders* in execution. The Commissioners had certain bounds assign'd them. The Lord treasurer was appointed for the shire of *Edinburgh*, the Earl of *Wintoun*, *Belhaven*, *Haddingtoun* for that of *Linlithgow*, the Marquis of *Athol* for *Perth*, the Earl of *Hume* for *Merse* and *Tiviotdale*, &c. They were to inform themselves of all persons, within the bounds assign'd them, who withdrew from publick ordinances, went to *house* or *Field-conventicles*, of all *disorderly baptisms* and *marriages*, &c. and report their diligence once every three months to the Council.

Commis-  
sion.

When the last proclamation and *bond* came west, it much alarmed the Noblemen, Gentlemen and heritors; for they reckoned it the hardest thing that could be, that they should oblige themselves for those, that were not in their power, and be required to do what was impossible; and alledged, that many of the *Counsellors* could not safely bind themselves for their own families, and therefore how could country Gentlemen be bound for such multitudes, upon such severe penalties?

Noblemen;  
&c.  
alarmed.

1677. Upon this, a considerable number of Noblemen, Gentlemen and Heritors of the shire of *Air* met, and, *Meet and agree on a proposal.* having chosen the Earl of *Loudon* Preses, agreed upon a letter to the Council, excusing themselves for refusing a *bond*, which they could not keep, and proposing another expedient for securing the peace of the country, even the granting a further liberty to *Presbyterians*. This was taken so ill by the managers, that this excellent Nobleman, who signed the letter, was never more in favour; so that after enduring sundry hardships, he left his native country, and died at *Leyden*.

*The bond refused in Lanerk shire.* The proclamation met with no better treatment in *Clydsdale*. Duke *Hamilton* was no friend to it, and the heritors of *Lanerk* unanimously agreed to refuse the *bond*. This opposition a little softened the severe instructions and Commissions at the Councils meeting in *October*, when they made an act, agreeable to the report then given in by the committee for publick affairs, “that, if any person, that is summoned, be ready to “swear or pay his fine, he shall not be troubled with bonds “or other engagements, since the constant punishment of “transgressors will supply the necessity of *bonds*; and since “the LAW itself is the strongest bond, that can be exacted of “anyman,” &c. but these continued but a very short while.

*The state of the indulged,* P. 57. On the 10th of *August*, according to the author of the *History of indulgence*, there was a proclamation, in which it is declared, that, since divers of the *indulged* Ministers had neglected their instructions given them by the Council, all heritors, &c. were discharged from paying any part of the stipend for the crop and year 1677, and in time coming, without a special order and warrant from the Council. Mr. *Wodrow* says, that if this proclamation be in the registers, he has overlook’d it. However, at this time, many *indulged* Ministers were summoned to appear before the Council; but there were few or none who appeared. Mr. *James Currie* was before them on the 7th, and being accused for being at a *Conventicle*, he owned the charge; but, upon telling that the reason was, that as the *Conventicle* was in the corner of his own parish, he went to expostulate with the preacher for withdrawing his people from him, he



he was dismiss'd. But Mr. *James Greg* being called and not appearing, his *indulgence* was declared to be forfeited, and he discharged from preaching any more in *Carstairs*. At the same time, the Council being informed, that the *indulged* Ministers did not keep their instructions, a new copy was ordered to be sent to each, signifying, that, if they break them, they should be immediately turned out and otherwise censured. They having likewise information that Mr. — *Gilchrist* had been settled in the parish of *Carssphairn* after the death of Mr. *John Semple*, ordered him to be dispossest'd, and brought in prisoner to *Edinburgh*. Now since the *indulged* were put to these hardships, the reader, I suppose, will not be surpris'd, that others, who had not freedom to accept of any *indulgence*, and yet exercis'd their ministry, where they had opportunity, had the hardest measure of sufferings.

1677.

The Prelates party was very strong, at this time, in the Council; for though some were for moderate measures, as *Argyle*, the President, *Stair*, Sir *Thomas Wallace* of *Craigie*, and a few more, yet the generality were for carrying things to the most extremity. And upon the 4th of *September*, Sir *George Mackenzie* of *Rosehaugh* was admitted a Privy Counsellor, and about this time Sir *John Nesbit*, who had been his Majesty's Advocate for several years, was turned out, and succeeded by Sir *George*, who was greatly instrumental in the after sufferings of the *Presbyterians*; so that the *Prelates* themselves could never charge him with any thing like moderation.

Sir George Mackenzie made advocate.

At the same federunt, a letter from the King, dated the 24th of *August*, was read, signifying, that it was his royal pleasure, that, for the future, all the officers of state should accept their commissions *durante bene placito*, during pleasure. By this means, all the inferior officers were made to depend on him, who had the King's ear. But then, though this was *Lauderdale's* contrivance, yet it was afterwards turned against him.

Commissions during pleasure.

On the 9th of *October*, the committee for publick affairs gave it as their opinion that Mr. *Robert Trail*, Scot of *Pitlockie*, Mr. *James Drummond*, and Mr. *Frazer* of

Mr. Pedden, &c. let out of the Bess.

1677. *Brae*, should be set at liberty from the *Bass*, upon giving bond to appear when call'd. But notwithstanding this, Mr. *Frazer* was continued, through the particular spite of the *Primate*. I know not what the Council did as to the rest. Only Mr. *Alexander Peden* (p. 335.) was let out of the *Bass*, upon obliging himself to depart from *Britain*, and not to return under a severe penalty. Several others had some liberty granted them by this federunt, as Masters *Hog*, *McKilligen*, and Mr. *Thomas Ross*.

The people's peaceable carriage.

But it was now the eve of a severe persecution. The *Prelates* could not bear, that the least favour should be shewn the *Presbyterians*; for *Conventicles* greatly increased; but both Ministers and people behaved in a most peaceable manner: nothing of disloyalty could be laid to their charge, notwithstanding the finings, confinings, imprisonments, denouncings and intercommunings they indured. A paper writ by a Gentleman of very good intelligence, at this time, says, that, by a sober computation, it appeared, that, before the end of this year 1677, near seventeen thousand were thus harrass'd. But still they met peaceably. It is true, several of them came *with arms*, in order to defend themselves from the barbarous outrages of the soldiers, which was a great handle to our meek and compassionate *Prelates*, who, upon hearing of the design of any further favour to those, who could not, in conscience, submit to abjured *Prelacy*, left no stone unturned to defeat the design. In order to this, they raised a mighty cry that the CHURCH was in danger from an intended insurrection, which had not the least foundation. The following incident was aggravated.

Carstairs commits outrages.

*Carstairs* (p. 393, 394.) who had been very diligent in harrassing the *Presbyterians* in the east parts of *Fife*, had turned out Lady *Colvil* from her house, so that she was obliged to conceal herself, for some time, in the fields and mountains, which greatly impaired her health. This fellow went round the country with about a dozen of men, having no other warrant but the ARCHBISHOP's *commission*, under pretence of searching for *dencuncced* and *intercommuned* persons, and committed many outrages. About the beginning of *October*, six

or



or seven gentlemen being in the house of *John Balfour* in *Kinloch*, *Carstairs* came with his company, while one of the gentlemen was accidentally at the door. *Philip Garret*, an *Irish* Tinker, one of *Carstairs's* Men, advanced, and, without asking a question, or receiving the least provocation, fired at the gentleman, but happily missed him. However, *Garret* followed into the house. By this time, the gentlemen were alarmed; one of them fired at *Garret*, and wounded him in the shoulder, so that he fell. Mean while *Carstairs* and his men fired in at the windows at the gentlemen, and wounded one of them. Upon this, the gentlemen, in their own *just and necessary* defence, made a sally and put *Carstairs* and his men to the flight. But no more blood was shed, only *Kinkell's* horse was shot, and *Garret* received some wounds with a sword; but they spared his life. *Carstairs* informed the Council, in *his own* way; so that this was looked upon as an high act of rebellion. The gentlemen, and several others, were summoned before the Council, and not appearing, were all denounced Rebels. This affair was charged upon the whole body of the *Presbyterians*, tho' it was some time before it was known in the *West-Country*. However, as this happened, just when the Bishops wanted a handle, they carefully improved it.

Accordingly, on the 17th of *October*, the Council wrote to the Earls of *Glencairn* and *Dundonald*, and the Lord *Ross*, in order to assemble the Commissioners of the excise and militia, and Justices of Peace specified in an inclosed letter, in the shires of *Air* and *Renfrew*, at *Irwine*, on the second of *November* next to come, in order to concert upon proper measures for suppressing *Conventicles*; and that on account of the extraordinary insolencies committed against the orthodox Clergy, by usurping their pulpits, threatening, or abusing their persons, setting up of *Conventicle-houses*, and keeping of seditious and scandalous *Conventicles* in the fields, the great seminaries of rebellion, &c.

*Councils letter to Glencairn, &c.*

As to insolencies, &c. except it was one or two instances, says my Author, and that on no small provocation, not one of those riots that came before the Council

*Remarks.*



1677. cil were in the shires of *Air* and *Renfrew*. And as to the invading of pulpits, it is owned, that, upon a vacancy, and at the invitation of the heritors and people, *Presbyterian* Ministers did, sometimes, preach in them. In short, the whole of this application to these gentlemen was but a *sham*; for they had concerted measures among themselves; only there must be some time to bring them to bear, as appears from a resolution of the Council the day before the gentlemen were to meet.

Prince of  
Orange's  
marriage.

Mean while, about the end of *October*, the Advocate was ordered, by the Council, to prosecute Mr. *James Mitchel* for his intended assassination of the Bishops of *St. Andrews* and *Orkney*. They likewise received a letter from *Lauderdale*, acquainting them with the designed marriage of the Prince of *Orange* to the Princess *Mary*, the Duke of *York*'s eldest daughter; for which they wrote a letter of compliment to his Majesty, expressing the greatness of that happiness they expected from this match; and they commanded publick rejoycings in the City of *Edinburgh* on that occasion.

Remarks.

As the marriages of the royal house of *Stuart* with *Papists*, have been the great plagues of the Three Kingdoms, and have brought our religious and civil liberties frequently to the very brink of ruin, so their marriages with *Protestants* have been as great blessings, not to us only, but to the whole *Protestant* Church. To these it is we are indebted first for the glorious *Revolution*, and next, for the illustrious FAMILY, which now happily fills the throne: And had the Managers seen the consequences of the happy intended Marriage intimated to them, at this time, it is to be questioned, whether they would have been so forward in their rejoycings.

Ker of  
Keriland.

About this same time, Mr. *Ker* of *Kersland* (p. 397.) was ordered to confine himself in the town of *Irwine*, and a mile round it, being within five miles of his own house at *Kersland*. He had some time allowed him to go with his family, then at *Glasgow*, to the place appointed. When he came to his family at *Glasgow*, he was visited by many of his friends and acquaintances. But the same night, when he was conducting the Lady *Caldwell* and her daughter home, he and *Robert Hamil-*

1677.

ton of *Airdry* were both apprehended by some of the King's life-guard at *Glasgow*, and kept in the guard-house till next day. Major *Cockburn*, the commanding Officer was willing to release *Kerland*, only detained him till the Archbishop's pleasure was known, who, as a Counsellor, ordered him to be made close prisoner in the Tolbooth, and immediately rode to *Edinburgh*. The Lady *Kerland* followed, to prevent misinformations. During this a fire broke out at *Glasgow*, and the prison being in danger, I am informed that several of the inhabitants went to the Magistrates, desiring that the prisoners might be taken out, lest they should perish in the flames. But upon their refusal, the people took the longest ladder they could find, and as many as were able, laid hold on both sides of it, and with united force burst open the doors and released the prisoners; among whom *Kerland* got his liberty. Mr. *Wodrow* says, that after this, he retired, and absconded all that winter, during the spring, and following summer, when he kept company with the persecuted Ministers, heard the gospel preached by them in the fields, till he retired to *Utrecht*, where he died the 14th of *November*, 1680. But it would seem, that after he was set free at *Glasgow*, he was some way or another retaken and sent to prison at *Edinburgh*; for he says, p. 446, The 29th of *November*, *Robert Ker* of *Kerland*, and *Durham* of *Largo*, prisoners in *Edinburgh-Tolbooth*, are ordered to be liberated without any conditions, which, he says, was not common at this time.

*A fire at  
Glasgow.*

On the first of *November*, the Committee for publick affairs inform'd the Council, that they had ordered two men to be scourged, for a riot on the Minister of *Torpbicken*, and two more, for a riot on the Minister of *Borrowstouness*, which met with the Council's approbation. The same day they turned out Mr. *John Welwood* from the Kirk of *Tarbolton*, and ordered him to be apprehended. And about a fortnight after, Mr. *James Forthie*, Chaplain to the Trinity Hospital at *Edinburgh*, was turned out for being at a *Conventicle*.

As an evidence that the Council's ordering the Heritors of *Air* and *Renfrew* to meet at *Irving*, to fall upon

*Refutation of the  
Council.*

1677. upon proper methods for suppressing *Conventicles*, was all sham (p. 414.) and that they had concerted measures among themselves, on the day before these gentlemen were to meet, they came to the following resolution :

*Project of the High-land Host.* “ *Edinburgh, November the 1st.* Upon some informations of some growing disorders and insolencies in the western shires, it was thought fit a Proclamation be drawn in case of an insurrection ; and the nearest *Highlanders* should be ordered to meet at *Stirling* upon advertisement by proclamation ; and letters are to be writ to noblemen and gentlemen, to have their vassals and tenants ready and at a call. It was further thought fit that arms and ammunition should be sent to *Stirling*. The forces at *Glasgow* are ordered to *Falkirk*, and new men are to be presently levied to complete them, and the soldiers ordered for the *Highlands*, countermanded.” Though they might be informed of a designed insurrection, yet there was no ground for it. But now the HIGHLANDERS must be made REFORMERS ! A contrivance worthy of Bishops !

*Resolutions of the meeting at Irwine.*

On the second of *November*, the heritors of *Air* and *Renfrew* met at *Irwine*, as they were ordered, and, after a good deal of reasoning upon the Council’s letter, they unanimously came to three resolutions. “ 1. That it was not in their power to suppress *Conventicles*. “ 2. That it is their humble opinion, from former experience, that a toleration of *Presbyterians* is the only proper expedient to settle and preserve the peace, and cause the foresaid meetings to cease. 3. That it is their humble motion, that the extent thereof be no less than what his Majesty had graciously vouchsafed to his kingdoms of *England* and *Ireland*.” These resolutions they communicated to the three noblemen, by whom they were assembled. But their Lordships, knowing how unacceptable it would be to the Council, declined receiving it, and the gentlemen would make no alteration. And therefore the three Lords, on the eighth of *November*, sent a letter to the Council, signifying, that the gentlemen had declared, that it was not in their power to quiet the disorders.

Though



Though the leading men in the Council appeared dissatisfied with this refusal, yet it is probable, it was what they wanted, that they might have a handle to prosecute their cruel intentions against the west country. Accordingly, they now resolved to execute their project, formerly agreed to, of raising such a number of the savage *Highlanders*, a people accustomed to rapine and spoil, as might overrun and depopulate the western shires, tho' in a time of profound peace. It does not appear, that they had, as yet, any orders for this from court, and therefore they were obliged to wait, for some time, till the King's letter came down to empower them to act. Mean while, they were not idle in preparing things for the execution of their design.

1677.

Matters  
preparing  
for the  
Highlands  
host.

Accordingly, on the 15th of *November*, the Council ordered the guards to muster on *Larber-muir* on the 20th, and the Commissioners of the militia to meet at *Edinburgh* on the 19th, under the severest penalties. On the 26th, four companies of soldiers were ordered to be quartered about *Edinburgh*. Next day, they established a post betwixt *Edinburgh* and *Portpatrick*, for corresponding with *Ireland*; for the King, being informed of the danger of an insurrection, for which there was not the least ground, not only offered them the assistance of the *English* forces, but likewise commanded the Viscount of *Granard* to march the *Irish* forces to the coast, to be in readiness to come over to *Scotland* upon a call. But the *Highland-host* answered the end of the managers without the assistance of foreigners. The same day, they wrote to the absent Councillors to be present next council day. Accordingly, on the sixth of *December*, they met and wrote to the Earls of *Huntly*, *Perth*, and *Airly*, to have their men in readiness to march.

The same day, Mr. *James Mitchell*, formerly mentioned, was brought from the *Bass* to the Tolbooth of *Edinburgh*.

On the 17th, the Council ordered Dr. *James Leslie*, Dr. Les-Principal of the *Marshall-College* at *Aberdeen*, to be apprehended, and sent to *Edinburgh*. He had wrote to the Bishop of *London*, reflecting on the Council and the Duke of *Lauderdale*; and his letters, some way or ano-

1677. ther, came into their hands ; and therefore he was deprived of his place, ordered to beg his Grace pardon, and then set at liberty.

On the 20th, the Council met, and received the King's letter for raising the **HIGHLAND HOST**, of which I cannot but insert the following extract :

“ **C H A R L E S R.**

King's letter concerning the western shires, &c.

“ **R**IGHT trusty and well beloved, &c. We have been very much concerned, at the accounts we have had, not only out of *Scotland*, but from several other hands, of the great and insufferable insolencies lately committed by the *Fanaticks*, especially in the shires of *Air*, *Renfrew*, *Stewarty of Kirkcudbright*, and other adjacent places, and also in *Teviotdale*, and even in *Fife*, where numerous *Conventicles*, which, by act of Parliament, are declared *rendezvous of rebellion*, have been kept, with *solemn communiions* of many hundreds of people, and seditious and treasonable doctrine, preached against our person and all under us, inciting the subjects to open rebellion, and to rise in arms against us and our authority and laws, unlawful oaths imposed, the churches and pulpits of the regular Clergy usurped, by force invaded, and their persons still threatened with assassination and murder ; and, what they have not formerly attempted, preaching-houses have been lately built, and unlawful meetings of pretended Synods and Presbyteries kept, thereby designing to prosecute their rebellious intentions, and to perpetuate the schism.

“ These insolencies being so recent, have moved us to provide fit and timeous remedies ; and therefore we have appointed some of our *English* forces to march to the North, near the *Scots* border, and a part of our army in *Ireland* to lie at *Belfast*, near the sea-coast towards *Scotland*.

“ We have been, with much satisfaction, informed, that you have required the noblemen and others, who have interest and considerable vassals—in the *Higblands* and places—adjacent, to be in readiness, with

1677.



“ with what forces they can bring out, to rendezvous  
 “ at *Stirling*, and from thence to march with our stand-  
 “ ing forces, upon the first advertisement, for the pro-  
 “ secution of our service. And seeing we are fully  
 “ resolved to maintain—and defend the government of  
 “ the church in that our kingdom, *as it is now esta-*  
 “ *blished by law*,—therefore we do hereby require  
 “ and authorise you, to command all these forces before  
 “ mentioned—to march to these shires and places—to  
 “ infested with rebellious practices, and there to take  
 “ effectual courses for reducing them to due obedience  
 “ to us and our laws, by taking free quarter from the  
 “ disaffected, and by disarming of all, you shall find  
 “ necessary, and securing all horses above such a value,  
 “ as ye shall think fit, by causing the Heritors and  
 “ Liferenters to engage and give *bond* for their te-  
 “ nants and others, who live upon and possess their  
 “ lands, that they shall keep no Conventicles; that they  
 “ shall live orderly and obedient to the laws; and by  
 “ causing the tenants and masters of families give  
 “ the *like bonds*; by causing every parish, and the He-  
 “ ritors of it, give surety, that no Conventicles shall  
 “ be kept, within any part of the parish, property  
 “ or commony, nor harbour or commune with the  
 “ rebels, or persons *intercommuned*, and for keeping the  
 “ persons, families, and goods of the *regular* Ministers  
 “ harmless; and that under such penalties, as ye shall  
 “ think fit, by causing all Heritors, Tenants, Life-  
 “ renters and others, take the oath of allegiance to  
 “ us, by using and prosecuting all other means and  
 “ methods—for—putting, at last, an end to these inso-  
 “ lencies and disorders; and, in case of resistance, that  
 “ in our name you give warrant to resist them by *force*  
 “ of arms.

“ And for the more effectual prosecution of these our  
 “ commands, that you punish the disobedient, or those  
 “ you judge disaffected, by fining, confining, imprison-  
 “ ment or banishment. And further, that ye place  
 “ sufficient garisons in all places, where ye shall, from  
 “ time to time, find it necessary. And if at any  
 “ time hereafter, ye shall judge, that these forces ye



1677.

“ have prepared are not sufficient for this undertaking,  
 “ we do empower and authorise you, to call to your as-  
 “ sistance those of our forces now lying in the North  
 “ of *England* and the North of *Ireland*, one or both, as  
 “ ye shall find cause.—

“ And, lastly, we do authorise and require you, to  
 “ call together our militia of that our antient king-  
 “ dom,—and to command and charge all Heritors,  
 “ Freeholders and others, and, if need be, all betwixt  
 “ sixty and sixteen, to come and attend our host, under  
 “ the pain of treason, according to the antient laws of that  
 “ our kingdom ; and that ye—emit such proclamations,  
 “ as ye shall find necessary for this our service, from time  
 “ to time.—And so we bid you heartily farewell. Given  
 “ at *Whitehall*, December 11th, 1677.”

Commis-  
 sion for  
 raising the  
 High-  
 landers.

In consequence of this letter from his Majesty, the Managers agreed to raise an army, known in *Scotland* by the name of the HIGHLAND HOST. Accordingly, on the 26th of *December*, a Commission passed the seals at *Edinburgh* for raising the *Highlanders* and others, and forming them in troops and companies. By virtue of this commission, they were to be at *Stirling* by the 24th of *January* next ; in their march they were to take quarter for their money, and force quarter for their money, if the same should be refused. Nay, by this commission, they had authority to take *free quarter*, as the Council or their Committee should appoint, and if need be, to seize on horses for carrying their sick men, ammunition or provisions. In a word, they were indemnified against all pursuits civil and criminal on account of killing, wounding, apprehending or imprisoning such, as should oppose them.

Remarks.

One would imagine, that the whole nation was upon the point of being invaded, when such mighty preparations were making. But all this was for the suppressing of *Conventicles*, and distressing those, who had given no provocation, farther than that they could not abandon their religious principles and submit to *abjured prelacy*. And therefore an army of *Highlanders* must force it down their throats. Perhaps some of the Managers might expect, that the oppressions of the *Highland* army now

to be raised, would force the people to take arms ; and so a fine handle would be given, to make a sacrifice of them to the resentments of the *Prelates* and the Duke of *York*. But the people generally adhered to their principles, and, at the same time patiently, endured their sufferings.

1677.



C H A P. XII.

*Of the trial and execution of Mr. James Mitchel, the proceedings of the Council and the Committee, the bond of conformity ; together with the ravages of the Highland host, during the months of January and February, 1678.*

THE first two months of the year 1678 present us with a series of oppression, as unprecedented as barbarous.

1678.

Several Noblemen and Gentlemen, foreseeing the terrible effects of the measures now pursuing, resolv'd to go to court, and give the King a faithful account of the circumstances of *Scotland*. But when this took air, the Bishops and *Lauderdale*, in order to frustrate the design, procured an act of Council to be passed on the third of *January*, discharging all Noblemen, Gentlemen and Heritors from leaving the kingdom, without the Council's permission, and requiring all, between sixty and sixteen, to be in readiness to join the King's host. And as the Duke of *Hamilton* was the Nobleman of the greatest rank and interest in the West, so the Council, on the same day, wrote to his Grace, signifying, that they had resolved, that a Committee of the Council should go along with his Majesty's forces, who were to rendezvous at *Stirling*, and to march west from thence for his Majesty's service ; and requiring him to meet the said Committee at *Glasgow* the 26th of this instant, and to receive and obey such orders of the Council or the said Committee, from time to time, as should be thought necessary.

*All discharging any to leave the kingdom.*

The

1678. The same day, *Lauderdale*, at the command of the Council, wrote to the Earl of *Cassils*, requiring him, as *Baily* principal of *Carrick*, to attend the said Committee at *Glasgow* the 26th instant, and receive and obey their orders; which his Lordship did accordingly.

Mr. Mit-  
chel pro-  
secuted.

It was now determined to prosecute Mr. *James Mitchel*; and therefore on the third of this Month, Sir *George Lockhart* and Mr. *John Ellis* were appointed to plead for him before the Justiciary. Bishop *Burnet* says, “ Things being then in great disorder, by reason of the numbers and desperate tempers of those who were *inter-communed* (he should rather have said, *by reason of the illegal and arbitrary proceedings of the Managers*) *Sharp* pretended he was in great danger of his life, and the rather, because the person, who made the attempt upon him, was let live still; and therefore *Sharp* would HAVE HIS LIFE; and Duke *Lauderdale* gave way to it.” Sir *Archibald Primrose*, lately turned out of the Registers place, was made Justice-General. He fancied, says *Burnet*, that orders had been given to raze the act that the Council had made (p. 353.) so he turned to the books, and found the act still on record. He took a copy of it, and sent it to Mr. *Mitchel*’s Council, and a day or two before the trial, went to *Lauderdale*, who, together with *Sharp*, Lord *Rothes*, and Lord *Haltoun*, were summoned as the prisoner’s witnesses. *Primrose* told *Lauderdale*, that many thought a promise of life had been given; the latter stiffly denied it; and the former said, that he heard there was an act of Council made about it, and wished, that *that* might be looked into. *Lauderdale* said, he was sure it was not possible, and he would not give himself the trouble to look over the books of Council.

His trial. His trial began on the seventh of *January*. The great proof brought against him, was his confession the 10th of *February*, 1674. Many and long were the reasonings upon the points in the indictment; and Sir *George Lockhart* argued, in behalf of the prisoner, with great judgment and learning, to the admiration of the audience, shewing, that no extrajudicial confession could be allowed in court, and that his confession was extorted from



from him, by hopes and promise of life. I must refer the curious reader to my author's appendix, where he will find the defences, replies and duplies at large N<sup>o</sup> 93. The debates were so tedious, that the court adjourned till the 9th of *January*.

1678.

Then after some witnesses were examined, relating to the attempt upon the *Bishops*, the Lord advocate produced his witnesses for proving Mr. *Mitchel's* confession. And first, the Earl of *Rothes* being shewn Mr. *Mitchel's* confession under his hand, swore, that he was present and saw him subscribe that paper, and heard him make the confession contained therein, and afterwards ratify the same at the Council-bar, in the presence of the King's Commissioner, the Lords of Privy Council sitting in Council, and that he had subscribed the said confession; but that he did not at all give any assurance to the prisoner, for his life, that the prisoner never required any such assurance. And that his Lordship does not remember, that there was any warrant given by the Council to his Lordship for that effect; and, says he, if there be any expressions in any paper, which may seem to infer any thing to the contrary, he conceives it hath been insert upon mistake. *Charles Maitland* of *Haltoun*, and the Duke of *Lauderdale* swore much to the same purpose.

*Depositions of witnesses.*

*Perjury!*

Then Archbishop SHARP swore, " that that day the pannel or prisoner did fire at his Grace, he had a † † *slight view.* wave of him passing from the coach, and passing the street, which made such impression upon his Grace, that, by the first sight he saw of him, after he was taken, he knew him to be the person, who shot the shot. Deposes, his Grace saw him at the Council-bar in presence of his Majesties Commissioner and Council, acknowledge his confession before the committee, and heard him adhere thereto, and renew the same, and that there was no assurance of life given him, nor any warrant to any others to do it; only he promised at his first taking, that if he would freely confess the fault, and express his repentance for the same, at that time, without any further troubling judicatories therein, his Grace would use his best endeavours

*Perjury.*

1678. “deavours for favour to him, or else leave him to justice. But that he either gave him assurance, or gave warrant to any to give it, is a false and malicious calumny. And that his Grace made no promise to *Nicol Sommerwel*, other than that it was but to make a free confession.” This *Nicol Sommerwel* offered to give his oath, that the Archbishop promised to him to secure his life, if he would prevail with him to confess. The Archbishop denied this, and called it a villanous lie.

Copy of the Act of Council produced. After these witnesses were examined, the Advocate declared, he had closed the *probation*; whereupon the prisoner produced a copy of an act of Council, 12 March, 1674, praying that the register might be produced, or the Clerks be obliged to give extracts, which they had refused. p. 415. “*Lockhart*, says *Burnet*, pleaded, that since the Court had adjudged, that the Council was a judicature, all people had a right to search into their registers, and the prisoner, who was like to suffer by a confession made there, ought to have the benefit of those books. But *Lauderdale*, who was in the court only as a witness, and so had no right to speak, stood up and said, That he and those other noble persons were not brought thither to be accused of *perjury*; and added, that the books of Council were the King’s secrets, and that no court should have the perusing of them.” In short, this defence was rejected, and next day Mr. *Mitchel* was brought in guilty, and condemned to be hanged in the *Grassmarket* of *Edinburgh* on Friday the 18th instant.

Burnet, *ibid.* As soon as the Court broke up, the Lords went up stairs, and, to their shame, found the act recorded and signed by Lord *Rothes* the President of the Council. “This action, says that historian, and all concerned in it, were look’d at by all people with horror. And it was such a complication of treachery, perjury and cruelty, as the like had not perhaps been known.”

Mr. Mitchell’s letter to Napier. Mr. *Mitchel*, in a letter to a friend, from the Tolbooth of *Edinburgh*, February 1674, says, that as to his design against *Sharp*, “he looked on him to be the main instigator of all the oppression and bloodshed of his brethren that followed thereupon, and of the continual pursuing of his life. And he being a soldier, not  
“having.

“ having laid down arms, but being still upon his own  
 “ defence, and having no other end or quarrel at any  
 “ man, and so had a right to take every advantage  
 “ against him. Moreover, we being on no terms of ca-  
 “ pitulation, but, on the contrary, *says he*, I, by his  
 “ instigation, being excluded from all grace and favour,  
 “ thought it my duty to pursue him on all occasions.”

A little further he says, “ I shall offer to your confi-  
 “ deration that passage, *Deut. xiii. 9.* wherein it is ma-  
 “ nifest, that the seducer or enticer to worship a false  
 “ God, is *to be put to death by the hand of those whom*  
 “ *he seeks to turn away from the Lord*, especially by the  
 “ hand of the witnesses, whereof I am one, as it appear-  
 “ eth *Deut. xiii* ; which precept I humbly take to be  
 “ moral, and not merely judicial or ceremonial. And  
 “ as every moral precept is universal, as to the extent  
 “ of place, so also as to the extent of time and persons.”

After this, he took notice of *Phinehas, Elijah, &c.* and  
 added, “ I know, that the *Bishops* both will and do say,  
 “ that what they did against the Lord’s people, whom  
 “ they murdered, they did it by *law* and *authority* ; but  
 “ what I did was contrary to *both*. I answer, the King  
 “ himself, and all the estates of the land, and every in-  
 “ dividual person in the land, both were and are obliged,  
 “ by the *oath of God* upon them, to have extirpated the  
 “ perjured *prelates* and *prelacy* ; and in doing thereof,  
 “ to have defended one another with their lives and for-  
 “ tunes.—And now they vaunt of *authority*. But what  
 “ authority do they mean ? truly I know not, except  
 “ it be the authority of their aggregated *Gods*, *new*  
 “ *Gods, &c.*”

The reader will, by this time, perceive, that Mr. *Mit-  
 chel* looked upon himself as in a state of *war* ; and that  
 as *Sharp* was doubtless one of the chief instigators of the  
 oppression and bloodshed of this dismal period, he there-  
 fore had a right to take every opportunity of cutting  
 him off, especially as all the ways of common justice  
 were blocked up. But this matter will come again be-  
 fore us, when we shall relate how *Sharp* met with what  
 he justly deserved at God’s hand.



1678. But supposing Mr. *Mitchel's* attempt unjustifiable, yet it is plain, he was unjustly put to death, as was sufficiently argued at his trial. The reader may see all the debates in my author's appendix, No. 93, 94, to which I must refer him.

Two days after the sentence, an order came from Court for placing Mr. *Mitchel's* head and hand on some publick place of the city. But as the sentence was passed, no alteration could be made; and if this order was procured by *Sharp's* means, he missed his end.

About this same time, Mr. *Mitchel's* wife gave in a petition to the Council, praying that her husband might be reprieved for a short time, that she might be in case to see him, and take her last farewell of him before his death; especially, as it was not twelve days, since she was brought to bed, and was then in a fever. But no regard was paid to this; for upon the 18th, he was executed according to the sentence. His last speech being interrupted by the beating of drums, he threw it over the scaffold, and is as follows:

“ *Christian people,*

Copy of his  
Speech.

“ IT being rumoured abroad, immediately after I received my sentence, that I would not have liberty to speak in this place, therefore I have not troubled myself to prepare any formal discourse, or account of the *pretended crime*, for which I was accused and sentenced; neither did I think it very necessary, the fame of the process having gone so much abroad, what by a former indictment given me near four years ago, the diet whereof was suffered to desert, in respect the late Advocate could not find a *just way* to reach me, with the *extrajudicial* confession they

† brought  
against.

“ † opposed to me. All knew he was zealous in it, yet my charity to him is such, that he would not suffer that unwarrantable zeal so far to blind him, as to overstretch the laws of the land, beyond their due limits, in prejudice of the life of a native subject. Next, by an extreme enquiry of *torture*, and then by exiling me to the *Bass*, and after all, by giving me a new indictment, at the instance of the new Advo-

“ cate,

“ cate, *who before was one of mine*, when I received the  
 “ first indictment, and to which new indictment and  
 “ debate in the process I remit you, and particularly  
 “ to these two defences of an *extrajudicial* confession,  
 “ and the *promise of life* given to me thereupon by the  
 “ Chancellor, upon his own and the *publick faith* of the  
 “ kingdom ; upon the verity whereof I am content to  
 “ die, and ready to lay down my life ; and hope your  
 “ charity will be such to me, a dying man, as not to  
 “ mistrust me therein, especially since it is so notori-  
 “ ously † adminiculate by an *act of secret Council*, and † *sup-  
ported,*  
 “ yet denied upon oath by the principal officers of state,  
 “ present in Council at the making of the said act,  
 “ and whom the act bears to have been present, the  
 “ Duke of *Lauderdale* being then his Majesty’s Com-  
 “ missioner, likewise present ; and which act of Coun-  
 “ cil was, by the Lords of justiciary, most unjustly re-  
 “ pelled. But I shall have charity for some of the said  
 “ Lords, who, I know, would have given law and jus-  
 “ tice, as to my just absolution, if they had not been  
 “ overpowered with plurality of votes, by those who  
 “ were overawed and † dared by the Lords of the † *threat-  
ned.*  
 “ Secret Council ; but that will not absolve their con-  
 “ sciences at the last day. As to my Advocates and  
 “ Lawyers, I ingenuously acknowledge their care,  
 “ fidelity and zeal in my defence, which I hope will  
 “ be a standing-fame to some of them for this and all  
 “ future generations. Thus much for a short account  
 “ of this affair, for which I am unjustly brought to this  
 “ place. But I acknowledge, my private and particu-  
 “ lar sins have been such, as have deserved a worse death  
 “ to me ; but I hope in the merits of Jesus Christ, to  
 “ be freed from the eternal punishment due to me for  
 “ sin. I am confident, that God doth not plead with  
 “ me in *this*, for my private and particular sins ; but I  
 “ am brought here, *that the work of God may be made*  
 “ *manifest, and for the trial of faith*, Joh. ix. 3. 1 Pet. i.  
 “ 7. and that I may be a witness for his despised truths  
 “ and interest in this land, where I am called to seal the  
 “ same with my blood. And I wish heartily, that this  
 “ my poor life may put an end to the persecution of

1678. “ the true members of Christ in this place, so much  
 “ actuated by those *perfidious prelates*; in opposition to  
 “ whom, and in testimony to the cause of Christ, I,  
 “ at this time, lay down my life, and bless God, that  
 “ he hath thought me so much worthy as to do the  
 “ same, for his glory and interest. Finally, concerning  
 “ a Christian duty, in a singular and extraordinary case,  
 “ and † anent my particular judgment, concerning both  
 “ church and state, it is evidently declared and mani-  
 “ fested elsewhere. So farewell all earthly enjoyments,  
 “ and welcome Father, Son and Holy Ghost, into whose  
 “ hands I commit my spirit.

† concern-  
 ing.

“ JAMES MITCHEL.”

N. B. I suppose, in the close of this speech, he refers to a subscribed testimony against prelacy, and for the work of reformation, which is too long to be inserted here. The reader will find it in the last edition of *Naphtali*. I shall now proceed to affairs of a more publick nature.

When the design of the *Highland host* was formed, as we have related, the Chancellor *Roths* went to the shire of *Fife*, and, with much difficulty, prevailed with most of the Heritors to sign the following *bond* at *Cowpar* of *Fife*, on the third of *January*.

The bond. “ WE the Noblemen, Barons and Heritors of the  
 “ sherriffdom of *Fife*, under-subscribing, faith-  
 “ fully bind and oblige us, that we, our wives, † bairns  
 “ and servants, respectively, shall no ways be present at  
 “ any *Conventicles* or disorderly meetings, in time com-  
 “ ing, under the pains and penalties contained in acts  
 “ of parliament thereanent.

† Chil-  
 dren.

† All our  
 || Cot-  
 tagers.

\*trans-  
 gress.

“ As also, we bind and oblige us, that † our hail  
 “ tenants and || cottars respective, their wives, bairns  
 “ and servants, shall likewise abstain and refrain from  
 “ the said *Conventicles* and other illegal meetings,  
 “ not authorized by *law*; and in case any of them  
 “ shall \* contravene the same, we shall take and appre-  
 “ hend any person or persons guilty thereof, and pre-  
 “ sent them to the Judge Ordinary, that they may be  
 “ fined and imprisoned therefore, as it is provided by  
 “ the



“ the acts of parliament made thereanent, otherwise we  
 “ shall remove them and their families from off our  
 “ ground. And if we fail herein, we shall be liable to  
 “ such pains and penalties, *as the delinquents have in-*  
 “ *curred* by the law. And for the more security, con-  
 “ senting † thir presents be registered in the books of † *these*.  
 “ Council,” &c.

This bond signed, was presented to the Chancellor, on the 10th of *January*; and though the reader may perhaps think, it was a pretty strong obligation, yet our managers, not judging it sufficient, insisted, that the Heritors should sign the following.

“ **W**E the Noblemen, Barons and Heritors of the  
 “ sherriffdom of *Fife* under-subscribing, faith- *Bond of*  
 “ fully bind and oblige us, that we, our wives, bairns *confor-*  
 “ and servants, respectively, shall no ways be present at *mity.*  
 “ any *Conventicle* or disorderly meeting in time coming,  
 “ but shall live *orderly* in obedience to the law, under  
 “ the pains and penalties contained in the acts of par-  
 “ liament thereanent. As also, we bind and oblige us,  
 “ that our haill tenants and cottars, respective, their  
 “ wives, bairns and servants, shall likewise abstain and  
 “ refrain from the said *Conventicles* and other illegal  
 “ meeting, not authorized by law. And further, that  
 “ we or they shall not † resett, supply or commune with † *receptive*  
 “ forfeited persons, *intercommuned* Ministers, or *vagrant* *or bar-*  
 “ *Preachers*, but do our utmost to apprehend their per- *bour.*  
 “ sons. And in case our said cottars, tenants, and  
 “ their foresaids, shall contravene, we shall take and  
 “ apprehend, &c. as in the former bond.”

This new bond was sent to the shire of *Fife*; and the same day, the Council ordered an hundred men to be detached from the four militia regiments, to march up and down the country, for suppressing *Conventicles*, and to be maintained by the shire. The pretence was, because it was in this country, that Mr. *Welsh* began *Field-conventicles*, which afterwards spread through the kingdom.

About the same time, the Nobility and Gentry of the  
 shire of *Air*, apprehending that the *Highland-host* was  
 chiefly *fruitless*

1678. chiefly intended against them, deputed nine of their number to go to *Edinburgh*, and represent to the Council, that moderate measures would more effectually put a stop to all alledged disorders, especially as they could not observe the least appearance of disloyalty among the people, notwithstanding their being addicted to *Conventicles* : but *Lauderdale* would neither allow them access, nor hearken to any thing, unless the gentlemen would presently sign the *bond*, and oblige themselves for all the rest of the Heritors. They could not do this, and so returned as they came ; nay, they could not obtain so much as a delay of the orders for the forces to march, until the gentlemen of the shire were met to consider the terms proposed ; so bent were the managers, at the instigation of the *Prelates*, to execute their cruel designs with the utmost rigour.

The town  
of Glas-  
gow sur-  
prized.

Though the general rendezvous of the forces was appointed to be at *Stirling* the 24th of *January*, and the Committee of Council to meet at *Glasgow* the 26th, yet upon the ninth, secret orders were given to the half of the regular forces, a squadron of horse and four companies of foot, to march west. And accordingly, they entered *Glasgow* on the 13th, being the Lord's-day, in time of public worship, and immediately made a strict search for arms, fugitive and *intercommuned* persons. The Bishop of *Argyle*, and some others, had represented, that that day the *ejected* Ministers were to administer the *Lord's Supper*, and that an insurrection was to follow. Whereas, the real ground of this fright, if it may be so called, was, that the *Presbyterians* in and about *Glasgow*, had kept the *Tuesday* before, as a day of private fasting and humiliation, in this time of calamity and distress. However, the story took, and the soldiers were quartered at *Glasgow*, to prevent an insurrection, that was never intended, nor thought of. *John Anderson* of *Dowhill* (p. 406.) was seized, but was soon set at liberty, upon giving security to appear when called. These soldiers were harbingers to the *Highlanders*, and behaved with the utmost insolence, but were greatly exceeded by their successors.

On the 15th, a train of artillery was ordered west, 1678. and a thousand merks issued from the treasury to defray the expences, though they had neither towns to besiege nor armies to encounter. Artillery sent west.

On the 18th, the Committee of Council was appointed to attend the army. Their names were, the Marquis of *Athol*, the Earls of *Mar*, *Murray*, *Glencairn*, *Wigtoun*, *Strathmore*, *Linlithgow*, *Airly*, *Caithness*, *Perth*, and Lord *Ross*; eleven in all; of which, nine were Officers in the army, and had brought down the *Highlanders*, and so were the more likely to manage things to purpose. The same day, these Noblemen, or any five of them, received full power to issue out proclamations and orders to pursue and punish delinquents, to apprehend and secure suspected persons, and to order such bonds to be subscribed, as they should think it. In a word, they were invested with the authority of the *Privy-council*, as their commission more fully bears. Committee of Council.

The Commissioners, at the same time, received full and extensive instructions too tedious to be inserted here. I shall only observe, that by virtue of these instructions, they were to manage the army, and give orders to the country, to Sheriffs and other Magistrates; nay, they, or any three of them, were vested with a *judiciary power*, and constituted a † criminal court. But then the Managers, to save themselves, ordered this Committee to free from quartering, all the lands of Counsellors, and such as have subscribed the *bond*, and obey the orders of the Committee. Their instructions. † formaters of life and death.

On the 21st of *January*, the Council met at *Edinburgh*, when a letter was read from the Duke of *Hamilton*, wherein his Grace excused himself from attending their Committee, by reason of his indisposition. They, at the same time, sent their orders to the Gentlemen of the shire of *Lanerk* to meet at *Hamilton*, when required by the Committee, and receive their orders. Duke Hamilton excused himself.

Things being thus far settled, and the Marquis of *Athol*, the Earls of *Mar*, *Murray*, *Caithness*, *Perth*, *Strathmore* and *Airly*, having assembled what men they could raise from the *Highlands*, marched to *Stirling*, where they were joined by the Lord *Linlithgow* with the Army rendezvous at Stirling.



1678. the regular forces on the 24th of *January*. These, with the *Angus* militia, and some Gentlemen from *Perthshire*, marched next day from *Stirling*, and were all at or about *Glasgow* by the 26th.

*Their numbers.* Their numbers were as follow : About a thousand foot of regular forces ; the *Angus* militia and *Perthshire* Gentlemen, two thousand two hundred ; *Highlanders*, about six thousand ; Horse Guards, a hundred and sixty ; besides five other troops of horse, together with the several retinues of the Lords of the Committee and others, with a vast number of stragglers, who came only for booty and plunder ; so that, by a moderate computation, they may be reckoned to have been ten thousand in all.

*Their furniture.* They had a large quantity of ammunition, four field-pieces, vast numbers of spades, shovels and mattocks, as if they had been to attack strong fortifications. They had likewise good store of iron shackles, as if they had been to carry back a parcel of slaves, and *thumb-locks*, as they called them, for the examination and trial of such, as they should see required it. The Musqueteers had their daggers so made, as, if need were, to fasten on the muzzles of their pieces for mauling horse, like our bayonets, not then brought to perfection.

Such a formidable company could not but fill all the country with consternation, in a time of peace ; nay, the very Gentlemen and Officers in the army itself, who were of any temper and reason, were surprized upon their entring into a country entirely peaceable, which had been represented, and they had expected it, to be all up in arms.

*Committee of the Council.* At *Glasgow*, the Committee of Council met, and opened their instructions, and immediately set about disarming the peaceable country, and pressing the *bond* ; and on the 28th of *January* the Sheriffs of *Roxburgh*, *Stirlingshire*, *Lanerk*, *Renfrew*, *Wigtoun*, *Dumfries*, and the Stewartry of *Kirkudbright*, were before them, and received instructions and orders,—to assemble all the Heritors, Liferenters, &c. in their respective shires, for subscribing a *bond*, which had been signed by the Lords of the Committee ; of which a copy was given them—to oblige the leaders of the horsemen of the militia-

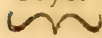
---troops to deliver up all the militia-arms, fwords, pistols, holsters, and all the Heritors, and others in whose hands they were, to do the same;— to disarm all other persons, except Privy-Councillors, Officers and Soldiers in the King's pay, together with Noblemen and Gentlemen of quality, who were permitted to wear their swords *only*,—to give the Committee a list of these persons of quality. In short, the Sheriffs were ordered to disarm their shires *upon oath*, and report their diligence by the seventh of *February* next. I shan't here give the reader a copy of this bond as it is almost *verbatim* the same, with that sent by the Managers of the shire of *Fife*, (p 428, 429.)

*Additional  
clause.*

They who took the *bond*, being to receive protection, were obliged to subscribe this additional clause :  
 “ And I do further hereby oblige me, that I shall not  
 “ own any person's, lands or goods, but such as do pro-  
 “ perly belong to myself, under colour of the protecti-  
 “ on given to me ; and that under such pains and pe-  
 “ nalties, as the Council or Committee of Council shall  
 “ impose, in case I contravene.”

There were, about this time, many papers writ against this bond, and particularly these following things, among others, were urged. 1. That the Council had no power to press it, or any other, without the authority of King and Parliament ; whereas they had no authority for this, but the King's letter. 2. None of *presbyterian* principles could take this *bond*, because it obliged him to walk according to the law establishing *Episcopacy*, and to take *that* to be a rule, which he judged unlawful ; and so to act contrary to the dictates of his conscience, which is not to be forced. 3. The *bond* obliged him, who signed it, to give no relief to, or have any conversation with *outed vagrant* Ministers, though sometimes they might be great objects of charity and compassion. And if we are not to shut our bowels of pity against *Turks* and *Pagans*, when in misery, how can we suffer them to be shut against Christians ? Are we not taught *to do good to all*, especially the *household of faith* ? whereas, when our relations are, what is called, *vagrant Ministers*, this *bond* obliges us to be unnatural. 4. The *bond* obliged to take and apprehend those it speaks

*Re-sons  
against  
this bond.*

1678. of. But how unsuitable is it for Gentlemen, and most  
 of the King's free lieges, to turn Macers or Mes-  
 sengers at Arms? and who can be forced to that, unless  
 he please? We are only obliged to take traitors, or such  
 as are guilty of *lese-majesty*. 5. None can bind for more  
 than *himself*, and consequently, whoever took this *bond*,  
 bound himself to an impossibility; for how can a  
 Nobleman or Gentleman bind himself to that, which all  
 the King's forces could not do? If the Council or their  
 Committee had required men to oblige themselves to *en-*  
*deavour* the conformity of others, there had been some  
 colour of reason; but to bind men to be liable, *for other*  
*mens transgressions*, was without all president; and the  
 law of God, in the strictest relation that can be, ex-  
 pressly says, that the son shall not die or suffer for the fa-  
 ther's transgression, much less *the father for the son's*,  
 and least of all, *the master for the tenant's*.

These are a few of the reasons that were urged  
 against this *bond*: The reader will remember, that when  
 the Council found it expedient, not to insist upon pres-  
 suring a *bond* much like *that*, we are now treating of, they  
 gave this for a reason, *That the law itself is the strongest*  
*bond that can be exacted of any man* (p. 410.) How un-  
 steady must their Councils have been, that, in about four  
 months time, they should press *this bond* so universally,  
 and force it upon people by the dreadful motive of a  
 standing army and a *Highland-host*!

Fanatick  
 Ministers.

On the 29th of *January*, the Committee for public af-  
 fairs were ordered, by the Council, to remove some *fa-*  
*natick* Ministers from the *Tolbooth* of *Edinburgh* and the  
*Canongate*, to the *Bass*. My author takes notice, that  
 this was the first time, that he met with the epithet of  
*Fanatick* Ministers in the registers.

E. of Cas-  
 sils.

The same day, the Committee commanded the Earl of  
*Cassils*, as Bailie principal of *Carrick*, to receive from all  
 persons, in whose hands the militia-arms were, all the  
 said arms, and to order all Heritors, &c. to bring with  
 them their tenants, cottagers and servants, with their  
 arms of all sorts, to be delivered upon oath, to such as  
 the Major-general should appoint, in the presence of  
 his Lordship or his deputies, declaring, that all that re-  
 fused



refused should have Soldiers quartered upon them, and to give an account of his diligence to the Committee at *Air* on the seventh of *February* following, which was done accordingly. 1678.

Mean while, on the second of *February*, the *Highland-boss* marched west, and by the seventh were dispersed all over *Cuninghame* and *Kyle*. Every where they behaved, as if they had been in an enemies country. It is remarkable, that they were let loose upon the shire of *Air*, before the Committee went among them, or any offer of the *bond* was made to them. High-landers march.

On the seventh of *February*, the Committee sat down at *Air*; and among the first things they did, they ordered the Earl of *Cassils* to pull down the meeting-houses in *Carrick*. According to their orders, the Earl had delivered up all his arms, except his sword, and therefore desired, that he might have the assistance of some Soldiers, in case of resistance: but this was refused. Neither would they restore him any of his arms; which made him hesitate a little upon their unreasonable demands, till one of his friends, a member of the Committee, whispered him in the ear, that there was but an hairbreadth between him and prison; and therefore he no longer declined their orders. However, some country people, having notice of what passed, out of regard to his Lordship, saved him the trouble, and pulled the meeting-houses down before he came. Committee sit down at Air.

The same day, they received the report of the Sheriffs appointed to be given in. The return from the Sheriff of *Dumfries* and *Niddale* was voted satisfactory. But Mr. *Ezekiel Montgomery*, Sheriff-deputy of *Renfrew*, reporting, that only two of the most insignificant Gentlemen, and three Burgeßes had taken the *bond*, the Committee was displeased. But the report from the shire of *Lanerk* was most displeasing; for it seems that of two thousand nine hundred Heritors and Feuars, only nine of small interest of the former, and ten of the latter had signed the bond. The Duke of *Hamilton*, the Lords *Blantyre* and *Carmichael* peremptorily refused it; and when, by force or fraud, some complied, their compliance cost them many bitter reflections. Report of the Sheriffs.

1678.

*Queries  
upon oath  
concerning  
arms.*

In the more remote shires, some of the Sheriffs, pretending they had not received a copy of the *bond*, declined a report, and begged a new day for presenting the *bond* a second time, and renewing their enquiry for arms. This was granted; but then they were required to demand of every person upon oath, "Whether he had any arms? or disposed of any since the first of January last? if gifted or sold? to whom? or if hid? and where." These queries were extended to all the shires; nay, the *Officers* of the *Highlanders* were, in some places, entrusted with this matter; so that, by this means, the whole country was rendered incapable of defending itself, in case of any emergency.

*Earl of  
Cassils  
disfessed.*

Mean while, the Committee of *Air* published an act on the ninth of *February*, commanding all the Heritors and others to appear before them at different times, viz. on the 18th, 19th, 20th and 21st, in order to take the *bond*. And accordingly Notice was given by the Sheriffs Officers; and all the parishioners of *Dundonald* were summoned to meet at the church of the *Kirkcoun*, and bring with them all their Cottagers, Servants, and arms of all sorts. The Earl of *Cassils*, by virtue of an order from this Committee, ordered their act to be published in the parishes, within the bounds of his bailiary or jurisdiction. But notwithstanding his complying with every thing, on the 10th of *February* fifteen hundred men were sent upon free quarters into the jurisdiction of *Carrick*, ten or twelve days before the Gentlemen were to appear before the Committee; and most of them were quartered upon the Earl of *Cassils*'s estate, where they committed many insolencies and cruelties. But there was no help for these things.

*Proclama-  
tion.*

However, the reports made from several shires convincing the Council, that it would be no easy matter to make the *bond* take, they went another way to work. Accordingly, on the 11th of *February*, they published a proclamation, discharging all Heritors, Liferenters and Masters, to receive tenants or servants, without certificates, that they had taken the *bond*; so that this *bond* became an universal *test*. The *bond* was annexed to the proclamation, and was signed at *Edinburgh* by the Coun-  
sellors

fellors that same day, and ordered to be signed by the Lords of Session at their first meeting. The same 11th of *February* the Committee at *Air* published a proclamation much to the same effect, discharging all persons from harbouring such tenants or cottagers, who refused the *bond*, under the penalty of six hundred pounds *Scots* for each tenant. 1678.

On the 14th of *February*, the Council made an act *for securing the public peace*, as they termed it. “—That since every private subject may force such, from whom they fear any harm, to secure them by *Law-borrows*; and that it hath been the uncontroverted and legal practice of his Majesty’s Privy-council, to oblige such, whose peaceableness they justly suspected, to secure the peace for themselves, their wives, bairns, men, tenants and servants—under such penalties, as they find suitable to their contempt, guilt or occasion, upon which such sureties are sought; therefore the Lords of the Privy-council, considering that his Majesty hath declared his just suspicion of those, who refuse or delay to take the said *bond*, and being themselves justly suspicious of their principles and practices, who refuse the same, do ordain, that all such persons be obliged to enact themselves in the books of secret council, that they, their wives, bairns, &c. shall keep his Majesty’s peace; and particularly, that they shall not go to *Field-Conventicles*, nor harbour or commune with *rebe’s* or persons *intercommuned*; and that they shall keep the persons, families and goods of their *regular* Ministers harmless, and that under the double of every man’s valued yearly rent (if he have any) and of such other penalties as shall be thought convenient—if they have no valued rent,” &c.

It is plain, the Managers were grievously vexed at the general refusing of the *bond*, not by the meaner sort only, but even by Noblemen, Gentlemen, and several of the most eminent Lawyers, the Earls of *Crawford*, *Callender* and *Roxburgh*, the Viscount of *Kilfyth*, the Lords *Balmerinloch*, *Melvil* and *Newark*, all stuck at it. Bishop *Burnet* says, “That this put *Lauderdale* in such a frenzy, that, at the Council-table, he made bare his arms”

*Act for securing the publick peace.*

*Remarks.*



1678. “ arms above his elbow, and sword by JEHOVAH, he would make them enter into those *bonds*.” Therefore, to force a general compliance, they fell upon this new and unpresidented method of *Lawborrows*. The import of which in *Scotland* is, that when two neighbours are at variance, the one procures, from the Council, or any other regular Court, letters, charging the other to find caution or security, that the complainer, his wife, children, &c. shall be harmless from the person complained upon, or from his children, &c. but before such letters can be granted, the complainer must give his oath, that he dreads bodily harm, trouble or molestation from him, against whom he complains. This was much like binding men to their good behaviour; and it is not unreasonable with respect to private persons; but that the King and Government should require this of subjects, and of the meanest of them, who refuse an unreasonable *bond*, is most unaccountable, as it evidently discovers a jealousy between the King and his people, and declares him to be in dread of them. I shall not trouble the reader with remarks on the preamble of this act, in which the *Presbyterians* are charged with schism and rebellion. *Ibid.* The said Historian says, that “ these things seemed done on design to *force a rebellion*, which, they thought, would soon be quashed, and would give a good colour for keeping up an army; and that *Lauderdale’s* party depended so much on this, that in their hopes they began to divide, among themselves, the confiscated estates; so that on *Valentine’s Day*, instead of drawing mistresses, they drew estates. And great joy appeared in their looks upon a false alarm, that was brought them, of an insurrection: And they were much dejected, when they knew it was false.” Some thought it very surprizing, that such a series of oppression, injustice and cruelty, had not, long before this, stirred the people up to violent measures.

Farther  
Instruc-  
tions to  
the Com-  
mittee.

Jointly with this act, the Council sent farther instructions to their Committee at *Air*, enjoining them, to use their utmost endeavours, to reduce the Heritors and others to obedience, who have not taken the *bond*,—to pursue the said Heritors and Liferenters for all *Conven-  
ticles*

*ticles* kept on their own lands, since the 24th of *March*, 1674,—to command all Sheriffs, Bailies of regalities, and their deputies, to take the *bond* themselves; and, in case of refusal, to proceed against them,—to allow all Heritors, who take the *bond*, to wear their swords, otherwise not, &c. And as to the *Lawborrows*, they were to insist upon security, from all, who refused, according to the act. In short, it was ordered, that the *Recusants* should have an indictment given them, and be prosecuted to the utmost.

While the Committee was thus engaged, the militia and *Highlanders* were ravaging the country, about *Kyle*, *Carrick*, and *Cunningham*, without the least provocation on the part of the *suffering people*, and even the few Heritors and Tenants, who took the *bond*, suffered much the same with those who refused it. And it is remarkable, that the poor oppressed people continued so peaceable, and so patiently bore the spoiling of their goods, and other outrages done to their persons, that the Managers had not so much as a false alarm, except once, when it was talked, without any foundation, that a number of people was assembled in arms about *Fenwick-muir*; for on the 18th of *February*, the Council were told, that their Committee, being informed of persons in arms about *Fenwick*, had sent out a party, but none appeared; neither could they find that there had been any in arms. The same day the Council ordered the *Highlanders* to be dismissed and sent home, and appointed the militia of *Mid-Lothian*, *East-Lothian*, &c. to march towards *Glasgow* in their room. I do not know but they might be ashamed at the reports, they must have received, of their unprecedented ravages and oppressions.

On the 19th, 20th, and following days of *February*, though many of the Heritors of the shire of *Air* were before the Committee, yet there were but very few that complied. The Earl of *Dumfries*, *Auchmannoch*, and some of no consideration, together with the Magistrates of the town of *Air*, took the *bond*; but the generality stood out: and these had the indictment and charge of *Lawborrows* given them to answer in 24 hours, before

High-landers  
ravage the  
country.

Heritors  
before the  
Committee.

1678. before the Committee. One Gentleman peremptorily refusing the *bond*, and being threatned with having the *Highlanders* sent to his estate, told them, He had no answer to *that* argument, and could not help it; but before he would comply with the *Lawborrowers*, he would go to prison.

Lord  
Cochran's  
case.

Next day, the *Recusants* were called to answer to their indictment. Lord *Cochran*, being among the first that was called, complained of the *shortness* of the time allotted them, and begged more time, and the assistance of Lawyers, since they were required to give their oath concerning a crime, that might be found capital. When all were removed, the Lords gave it as their judgment, that the Council's diets were peremptory, and so they must answer presently; and that whatever the deponents declared, should never infer *capital* punishment. When his Lordship was called in, and had this intimated to him, he urged that, by act of Council of the fifth of *October* last, all libels against *Conventicles* were to be restricted to a month backwards; and none was bound to swear but for himself; and that they, who were ready to purge themselves by oath, as to their own guilt, were to have no *bonds* presented to them. The Advocate declared, he knew of no such act. *Cochran* referr'd the matter to the Clerk's oath; but that was refused; and his Lordship was told, that he must either swear or be reputed guilty. Whereupon he gave his oath, that he was free of *Conventicles*, and all his servants to his knowledge.

Lord Cath-  
cart, &c.

In the afternoon, Lord *Cathcart*, Sir *John Cochran* and the Laird of *Cesnock*, being called, refused the *bond*, in the same manner that Lord *Cochran* had done. And the Laird of *Kilbirnie* particularly urged the above act of Council, and offered to produce a copy of it, which was peremptorily refused. And to prevent his taking instruments upon his offer, the Earl of *Caithness* got the meeting to be suddenly adjourned.

Others, that came before them, were threatened with exorbitant fines, double quartering, imprisonment, and the like; and were, at length, forced to answer their interrogatories. Nay, such was their unaccountable proceeding



ceeding, that they presented the *bond* to a young Lord under age; and because he refused it, they served him just as the rest. 1678.

But notwithstanding these severities, none in the shire of *Air* would sign the *bond*, except those above mentioned, and a few petty Heritors. The Earls of *Cassils* and *Loudon*, the Lords *Montgomery*, *Cochran*, *Cathcart*, *Bargeny*, with all the rest of the Gentlemen and Heritors, and the whole town of *Irwine* peremptorily refused; and therefore were all ordered to be declared Rebels and outlawed.

On the 21st of *February*, *Patrick Sheriff* in *Knows*, P. Sheriff, and *James Shiels* in *Boltoun*, were fined for being at *Conventicles*, and ordered to lie in prison till they made payment. &c.

The Committee at *Air*, having ordered several Gentlemen in *Carrick* to be imprisoned, on the 22d of *February*, issued a proclamation, commanding all Heritors and Landlords, Tenants and Servants, who had not signed the *bond*, to part with all their horses above the value of fifty pounds *Scots*, in a short limited time, under the penalty of forfeiting the horse, and paying a hundred pounds for each horse above such a value. Proclamation about horses.

The same day, the Earl of *Cassils* appeared before the Committee at *Air*. When the *bond* was tendered to him, he refused to subscribe it, and was therefore charged to appear next day, before the Lords of the Committee, under the pain of *rebellion*, for being at *Conventicles*, and other high crimes, and to give his oath, upon the truth of his indictment. But though he appeared, and cleared himself, by oath, of all the crimes laid to his charge, yet, refusing to subscribe the *bond*, the Lords appointed a messenger to charge him with Letters of *Lawborrows*; and, in case of failure, to denounce him Rebel within six days. Upon which he wrote to their Lordships, entreating a week's delay, which was refused him. Wherefore he immediately repaired to *Edinburgh*, to attend the Privy-council, and offer them all possible satisfaction, according to law. But, upon his coming thither, a proclamation was issued, commanding all Noblemen, Heritors, and others, of the

1678. *West Country*, to depart from *Edinburgh* to their own houses, within three days; before which time, he was actually denounced *Rebel* at the market cross of *Air*, and letters were sent for apprehending his person. Wherefore his Lordship found himself under a necessity, to repair to *London*, in order to lay his case before his Majesty.

Garifons  
appointed

Mean while, on the 26th of *February*, the Council had a letter from their Committee, desiring garifons might be appointed upon the removal of the *Highlanders*, which was complied with. And next day, the Committee had orders to intimate to the town of *Irwine*, that they must find persons qualified to serve in the magistracy, who are willing to take the *allegiance*, *declaration*, and sign the *bond*, or else lose their privileges. And the same day, the Council empowered the Magistrates of *Glasgow*, to tear the burger-tickets of all, who refused the *bond*, and to turn all Recusants out of their Council. On the last of *February*, the Council recommended to their Committee not to burthen any who signed the *bond*, with provision for the garifons.

The occasion  
of  
them.

The reader must be informed, that the garifons were occasioned by a letter wrote by the *regular Clergy* in the *West*, to the Archbishop of *Glasgow*, wherein they signified, that they might abandon their charges, as soon as the *Highlanders* left the country, if garifons were not appointed. How far it was their duty, and how agreeable to that sacred function, which they pretended to bear, to have any hand in such proceedings, let the world judge. It is true, my Author did not see that letter, but he has published a letter from the Presbytery of *Air* to the said Archbishop, which sufficiently confirms the fact. See vol. I. p. 479.

High-  
landers  
ordered  
home.

At last, the Committee, about the end of *February*, ordered the *Highlanders* home. They were now convinced, that there was no forcing the *bond* upon the *West Country*; neither did they rise in arms, as was expected, but bore all their oppressions, with an incredible patience.

The *Highlanders* therefore, having wasted the Country, marched off, except five hundred, who, with the

*Angus*

*Angus* militia and standing forces, continued till the end of *April*, when orders came to dismiss them. 1678.

When they returned, they were loaded with spoil; *They are loaded with spoil.* for they took along with them a great many horses, and vast quantities of goods out of the Merchants shops; together with pots, pans, and all sorts of wearing apparel and bed-cloaths, and some plate, bearing the names and arms of Gentlemen. Nay, two of their Colonels, *Airly* and *Strathmore*, were said to have sent home great sums of money, more than they possibly could have got by their pay. And this is not to be wondered at, since from one country parish it was calculated, they had got about a thousand pounds sterling.

Upon their march homeward, they took free quarters without restraint, except now and then, that the country people would attack such of them, as were disbanded, and retake some of their own goods.

One who was present told my Author, that the Students in the college of *Glasgow*, and other youths, opposed two thousand of them at the Bridge of *Glasgow*, and would not permit them to pass, till they had delivered the spoil, and then only by forty at a time, who were conveyed through the *West Port*, without being suffered to go through the town; that the custom-house there was almost filled with pots, pans, bed-cloaths, wearing apparel, and the like.

A particular account of all the depredations and ravages of this lawless *Highland*-host would fill a volume; *Cruelties of the Highland host.* for they behaved with greater insolence and cruelty than a foreign enemy would have done. The *Highlanders*, and even the regular troops, not content with free quarters, though that was most illegal, openly robbed on the high-way and in houses; and, every where, took from the country people pots, pans, wearing apparel, and every thing they could lay their hands on; and whoever made any resistance, were knock'd down and wounded. In some places, they tortured people, by scorching their bodies at large fires, and otherwise, till they discovered where their money and goods were concealed. They killed their cattle, and drove away their horses; and, as if they had been possessed of the autho-



1678.

rity of King and Parliament, imposed taxes on several places, threatening to burn their houses, if they were denied. The meanest straggler exacted his *six-pence* a day, and the modelled forces their *shilling*, or *merk Scots*. Nay, they openly offered to commit rapes; so that it is proper even to draw a veil over their unnatural and horrid wickedness, committed up and down the country. In short, it is hard to say, which is most to be admired, the conduct of persons of honour and quality, in being accessory and encouraging such things, or the patience of an oppressed people, in bearing their sufferings without resistance; for my author says, that, unless in the parish of *Campsie*, where one of the *Higblanders* was killed, he had not found, that any resistance was made any where.

It is true, though the greatest part of the Committee were furious promoters of those oppressions, yet there were two or three of a more *moderate* disposition; but these were out-voted. The Marquis of *Atbol* was particularly taken notice of for his clemency, and the Earl of *Pertb* for his equity. However, this *moderate* party prevailed at last so far, as to get the *Higblanders* removed.

I shall conclude this chapter with some further particular instances of the loss and hardship sustained on this occasion, especially in the shire of *Air*. The Noblemen and Gentlemen of that shire made some calculation of losses, in a paper, which they drew up, in order to lay them, if need were, before his Majesty. My author has given it at large. However, the following abridgment of it is sufficient for my purpose.

An account of the losses, the following parishes sustained by quartering, robbing and spoiling of the soldiers and Highland-host, 1678.

In KYLE.

|                                        | <i>l.</i> | <i>s.</i> | <i>d.</i> |
|----------------------------------------|-----------|-----------|-----------|
| Air and Alloa, - -                     | 12120     | 0         | 0         |
| St. Quivox, - -                        | 900       | 0         | 0         |
| Monktoun, - -                          | 200       | 0         | 0         |
| Tarbolton, - -                         | 6180      | 0         | 0         |
| Galltoun, - -                          | 3679      | 0         | 0         |
| Craigie, - -                           | 735       | 5         | 0         |
| Riccartoun, - -                        | 2844      | 0         | 0         |
| Dundonald, - -                         | 3373      | 6         | 0         |
| Barnwell, - -                          | 836       | 0         | 0         |
| Symontoun, - -                         | 1300      | 6         | 0         |
| Mauchlin, Muir-<br>kirk and Dalgean, } | 8985      | 8         | 0         |
| Cultoun, - -                           | 3537      | 12        | 0         |
| Ochiltree and<br>Auchinleck, }         | 5211      | 7         | 8         |
| Cumnock old and<br>new, }              | 3015      | 6         | 4         |
| <hr/>                                  |           |           |           |
| <i>In CARRICK.</i>                     |           |           |           |
| Straitoun, - -                         | 12000     | 0         | 0         |
| Colmanel, - -                          | 10000     | 0         | 0         |
| Kirkoswald and<br>Girvan, }            | 1816      | 0         | 0         |
| Barr, - -                              | 1000      | 0         | 0         |
| Daylie, - -                            | 100       | 0         | 0         |
| Maybole, - -                           | 1700      | 0         | 0         |
| Dalmellington,<br>and Kirkmichael }    | 4981      | 0         | 0         |
| <hr/>                                  |           |           |           |
| £. 87094 11 0                          |           |           |           |

|                                 | <i>l.</i> | <i>s.</i> | <i>d.</i> |
|---------------------------------|-----------|-----------|-----------|
| Sum of Kyle and<br>Carrick, - } | 87094     | 11        | 0         |

In CUNNINGHAM.

|                                         |       |    |     |
|-----------------------------------------|-------|----|-----|
| Kilmarnock and<br>Fenwick, - }          | 14431 | 0  | 0   |
| Kilwinning, - -                         | 5895  | 15 | 3   |
| Steverton, - -                          | 622   | 12 | 4   |
| Ardreftin, - -                          | 1549  | 13 | 4   |
| Dalry, - -                              | 653   | 12 | 8   |
| Dunlop, - -                             | 2629  | 16 | 6   |
| Irwine parish<br>without the<br>town, } | 1     | 29 | 0 4 |
| Largs, - -                              | 1917  | 0  | 0   |
| Kilbryde, - -                           | 692   | 0  | 0   |
| Kilbirny, - -                           | 2030  | 0  | 0   |
| Lowdon, - -                             | 2934  | 13 | 4   |
| Dreghorn and<br>Pearstoun, }            | 1505  | 17 | 0   |
| Kilmawers, - -                          | 3250  | 15 | 0   |
| Stewartoun, - -                         | 6062  | 12 | 8   |
| Beeth, - -                              | 4891  | 0  | 0   |
| Isle of Meikle-<br>Cumray, }            | 266   | 13 | 4   |
| <hr/>                                   |       |    |     |
| Sum, £. 137496 13 2                     |       |    |     |

It would be endless to mention the losses of particular persons. However, I cannot omit some instances. When this dreadful host came to the shire of Air, the Curate of Kirkoswald procured a regiment for that parish; and such was his ghostly care for his flock, that, by his direction, quarters were given for these plunderers. The small parish of Dalmellington, where one Quintin Dick had his residence, had nine hundred of these mountaineers upon it.

1678.

The Heritors who took the *bond* and their lands, were free from quartering and exactions as far as those *Highland* robbers could be restrained ; but others had no mercy. Sir *William Cunningham* of *Cunninghamhead*, tho' but a school-boy, had a whole troop, commanded by the Laird of *Dun*, quartered on his estate ; so that his tenants were grievously oppressed ; and the victual that was laid up in the tower of *Cunninghamhead*, was rendered useless by their treading it under their feet, to the great prejudice of the innocent minor. And all this under the direction of—*Dumbar* of *Grange*, Nephew to the Laird of *Dun*, who was Cornet to that troop. This *Dumbar* forced his Landlord, *David Muir*, to give him what money he had, threatening otherwise to hang him in his own barn ; which he and his servants would have done, had they not been prevented by a company of women.

Kilmarnock  
ravaged.

The town of *Kilmarnock* suffered extremely, at this time. *John Bordland* in the Bridge of *Kilmarnock*, lost an hundred pounds *Scots*. *William Taylor*, merchant, had a whole company of them quartered for one night besides his quota. *Matth. Hopkins* lost five hundred *merks*. *William Dickie*, Merchant, had nine of them upon him for about six weeks ; and when they went off, they robbed his house, carried off a stocking full of silver money, broke two ribs of his side, and so frightened his wife, then big with child, that she died soon after. This good man lost upwards of a thousand *merks*. *Hugh Mowat*, *James Stewart*, and his son, and *James Aird*, with many others, were dreadfully oppressed. In a word, before they left *Kilmarnock*, they resolved, on the Sabbath day, to plunder the town, as several houses felt to their cost. When Mr. *Alex. Wedderburn*, Minister in the town, was interceding for the place, a *Highlander* pushed him in the breast with the butt end of his musket, which proved the occasion of his death.

The parish of *Evandale* in *Lanarkshire* lost one thousand seven hundred pounds twelve shillings. The small parish of *Cambuslang*, in the same shire, likewise suffered much ; particularly *John Crosbie*, *David Donald*, *Jam. Jackson*, *Will. Kerr*, and *Tho. Robertson*. The Lady  
of



of Sir *Patrick Houston* was by their insolent rudeness frightened to death. 1678.

From these few hints, the reader may form a judgment of the dismal state of the country, during the time of the *Highland-host*, and what a sensible pleasure it must have given all ranks, to see them marching back to their native mountains. But still the measures of oppression were carried on, as I am to relate in

### CHAP. XIII.

*Of the proceedings of the Council and their Committee after the return of the Highland-host; the appointment of garisons; the convention of estates; the cess, the progress of the persecution, and other things, to the end of the year.*

THE damages done by the *Highland host* were so great, that the Managers were pleased to dismiss them; but still they continued to pursue the measures of rigour and severity against the Nonconformists. Accordingly, on the first of *March*, a letter from the Committee was read in Council, signifying, that they had charged all, who had not taken the *bond*, with *Lawborrows* (p. 437, 438.) and had sent their names to the Council, in order to their being declared Rebels; but that the Noblemen, and Gentlemen charged, had left their own houses and come into *Edinburgh*; so that the principal persons concerned cannot be apprehended.

*Committees letter to the Council.*

All the Heritors in *Renfrew* and *Lanerk* were thus charged.

The same day, Mr. *Robert Anderson* was before the Council for nonconformity; but he was released upon giving bond to appear when called. But the Lord *Cochran*, the Laird of *Kilbirnie*, and others, offered a petition for the suspension of the *Lawborrows*; yet the Council signified to their Committee, that they would receive no petitions from the Gentlemen come to *Edinburgh*,

*Mr. R. Anderson favoured. L. Cochran's, &c. petition rejected.*

1678. *burgh*, and that they had commanded them, by proclamation, to remove.

*Act about  
garifons.*

Mean while the Committee at *Air* passed an act on the fourth of *March*, appointing *garifons* in the following places in that shire, viz. in the house of *Blairquhan* in *Carrick*, of an hundred foot and twenty horse, in *Bar-skimming* and *Cesnock*, of fifty foot and ten horse each; and ordering the Commissioners of the excise to meet on the seventh instant, to provide necessaries for them, and give an account of their diligence on the eighth.

*Council's  
letter.*

But before these things could be done, the Council, on the sixth of *March*, sent a letter to his Majesty, giving him an account of the proceedings of this Committee, with respect to the *bond*, &c. and throwing the most false and invidious reflections on the *Nonconformists*, in order to have their iniquitous conduct authorised by the King's approbation; for they intimate, that all things were done in pursuance of his orders, in his letter of the 11th of *December last* (p. 428, &c.) But Bishop *Burnet* very well observes, that, "when very illegal things were to be done, the common method was this: A letter was drawn for it to be signed by the King, directing it upon some colour of law or antient practice. The King signed whatever was sent to him."——

P. 417.

*Henry  
Muir.*

Next day, *Henry Muir*, Commissary-clerk at *Kirkudbright*, was charged before the Council, for being at *Conventicles* in *Septemler* or *October last*, and of corresponding with Mr. *Welfh*, Mr. *Semple*, and Mr. *Arnot*, &c. He owned he once heard Mr. *Arnot* at a *Field-conventicle*, but denied *correspondence*. By the interest of the Bishop of *Galloway* he was dismissed without any further trouble. We shall hear that one *James Learmont* was executed for being only present at a *Field-conventicle*; but he had not a *Bishop* to intercede for him.

*Commis-  
sioners of  
excise  
summoned.*

It don't appear, that the Committee met on the eighth; but on the ninth they made another act, ordering the Clerks of the Commissioners of Excise, to summon the said Commissioners to meet at *Air*, on the 12th, both for providing the necessaries for the *garifons*, and settling the prices they were to pay for their provisions; and that,



that, if they fail in their duty in this respect, the Officers and Soldiers shall have liberty to take these necessaries from the next adjacent places, with the rates to be fixed by the Committee, except the lands of Privy-councillors, and those employed in his Majesty's service, or such as have taken, or shall take the *bond*.

But the Commissioners of Excise, having most of them refused the *bond*, and not chusing to give any actual concurrence with the imposition of *garisons*, in the time of peace, did not meet on the day appointed. And therefore the Committee, on the 12th of *March*, fixed the prices on hay, straw, oats, &c. whereupon the Officers of the army brought in what they wanted from the adjacent places, and called the Heritors of every parish, near their *garison*, to meet, in order to fix the proportion of each parish, for furnishing the *garison* with necessaries, all protected persons being free.

On the 13th, the Council published a proclamation, ordering the *bond* to be subscribed, by all the Heritors in the shires of *Edinburgh, Haddingtoun, Linlithgow, Berwick, Peebles, and Selkirk*; and next day, they gave orders, to charge the recusants with *Lawborrows*, as had been done in the West. But though the *bond* was subscribed in several shires, yet the Heritors were generally backward, particularly in *East-Lothian*, where, from among upwards of a thousand Heritors, not above fifty or sixty signed it; and by this time Conventicles began, again, to be much frequented.

On the 15th, a Decreet was passed, at the instance of the King's Advocate, against *Pat. Thomson* in *Kinloch*, *Geo. Fleming* in *Balberty*, *Alex. Hamilton* of *Kinkel* and his servant, — *Henderson, Robert Hamilton*, brother to the Laird of *Presttoun*, *John Balfour* of *Kinloch*, *Jam. Russel Fenar* of *Kettle*, *James* and *John Reid* there, *Job. Balfour*, tenant to *Lundy*, *Alex. Balfour* there, *Job. Archer* in *Stramiglo*, and *John Adam*, Bailly in *Stramiglo*, and about twenty more, who, they said, had met at the house of *Balfour* of *Kinloch*, with others, to the number of three or fourscore armed men, with an intent to have

M m m

murdered



1678. murdered Captain *William Carstairs*, and — *Garret* his Servant (p. 412, 413.) when the Captain required them to deliver up — an intercommuned preacher, and to have fired twelve or fourteen shot, whereby *Garret* was mortally wounded, and died on the spot.

*Remarks.* It is sufficient to observe, that few of those here named were present at the time, when that affair happened, particularly, *John Archer* and others. There was no preacher among them; neither was *Garret* killed on the spot, as they represented: But it was necessary that things should be aggravated. And indeed nothing was more common than for the letters, proclamations, acts of Council, &c. to have their preambles or narratives filled with lies and misrepresentations. All these persons were outlawed, except two or three mean country people, who appeared.

*None to go to Ireland without a pass.* The same day, a letter from the Committee in the West was read in Council, desiring, that the Heritors, who refused the *bond*, might be stopt from repairing either to the borders, or into *Ireland*, to avoid being apprehended. Accordingly, next day, a draught of a proclamation was sent to the Committee, discharging all persons to go to *Ireland* without passes, and requiring them, at the same time, to send in lists of all who were charged with *Lawborrows*, and ordered the shire of *Dumbartoun* to take the *bond* at *Glasgow*, where it seems the Committee sat for the rest of their time.

*D. Hamilton, &c. go to court.* These proceedings were so illegal, and subversive of the liberties of the subject, that, about the end of this month, Duke *Hamilton*, the Earls of *Roxburgh*, *Haddingtoun*, Lieutenant-general *Drummond*, and several other Gentlemen of figure in the West and South, thought it necessary to repair to Court, in order to lay the state of the nation before his Majesty. Nay, even the Marquis of *Atbol* and the Earl of *Perth*, who had been Officers in the army, that invaded the West, went along with them; for, observing the peaceable carriage of the *Presbyterians*, and conversing with Noblemen and Gentlemen of good sense, they were determined not to be any more active in the severities used against them. The Earl

Earl of *Cassils* had gone up some time before ; and it seems, that, by means of the Duke of *Monmouth*, he got access to his Majesty. 1678.

The Managers at *Edinburgh* pretended to ridicule these Noblemen, and assured their friends, that, since they had not first laid their grievances before the Council, the King would pay no regard to them. However, their going off without asking leave, was as surprizing, as it was unexpected, especially their being joined by the Marquis of *Athol* and the Earl of *Perth*. The Bishop of *Galloway* made a heavy complaint of the conduct of those two Noblemen, in a letter to the Lord Register. *Their journey ridiculed*

It is said, that when these two Noblemen, with their servants, and other Gentlemen, were on the road in *Annandale*, they lost their way, and, it being late, were obliged to put up in a cottage in that country. The people having some knowledge of their errand, treated them with abundance of civility. And when their Lordships, who could not get their horses within doors, expressed their concern, lest they should be stoln, having heard that *Annandale* was noted for *horse-stealing*, the country people told them, they were in no hazard ; for there was no thieving among them now, since the field-preachings came into that country ; and talked of many other branches of reformation brought about by means of Mr. *Welsh* and other preachers. *Reformation in Annandale.*

As soon as the Council got notice of the departure of Duke *Hamilton*, on the 26th of *March*, they sent up the Earl of *Murray* and the Lord *Collingtoun*, in order to vindicate their proceedings, and those of their Committee, against what might be objected by the Noblemen and others, who were gone to Court. *Murray, &c. set up.*

The same day, a letter from their Committee was read in Council, signifying, that the *bond* had been offered in the shire of *Stirling*, and that in the parish of *Campsie*, six miles north of *Glasgow*, some hundreds assembled in arms, and killed one of the Soldiers, and desired an order, to proceed against the Heritors of that parish, for building a dwelling-house and meeting-house to one Mr. *Law* (after the revolution one of the Ministers in *Edinburgh*) adding, that the country about *Glasgow* *Committees letter.*

1678. was much infested with unlicensed Chaplains, and desiring that some persons might be made examples of.

*E. of Cassil's case.*

On the 28th of *March*, the Earl of *Cassils* gave in his case to his Majesty, containing a particular account of all that has been above related concerning his Lordship, subscribed with his own hand; but as soon as it was given to the King, a copy of it was sent down by an express to the Council, attested by *J. Forrester*, Secretary to the Duke of *Lauderdale*.

*Lord Semple.*

On the 29th, Mr. *Robert Wylie*, Governor to *Francis Lord Semple*, a youth then at the university, was summoned to appear before the Committee of the Council, but he did not, and his Pupil withdrawing, got a charge of *Lawborrows*.

On the first of *April*, the Council had a letter, from their Committee in the West, signifying, that they had summoned before them Lord *Semple's* Governor and Lord *Cochran's* Chaplain, who, my author thinks, was Mr. *William Dunlop*, afterwards Principal of the University of *Glasgow*, for officiating without a license from the Bishop, and intended to prosecute those who entertained them.

*The King's letter of approbation.*

The same day, the Council received his Majesty's letter, approving their conduct, and the proceedings of their Committee, and thanking them for their careful prosecution, of what he had recommended to them, in his letter of the 11th of *December* last (p. 418, &c.) However, this did not discourage the Patriots, who were gone up to *London*, from laying before his Majesty the injustice of several things, he had approved of, as shall be related in its proper place.

*Commissioners of excise.*

On the third of *April*, the Council, taking under their consideration those commissioners of excise, who did not assemble for settling the provisions for garisons, ordered the Earls of *Cassils* and *Loudon*, the Lords *Cochran*, *Cathcart*, *Bargeny*, Sir *William Muir* of *Rowallan*, &c. to be called before them. But they did not appear. So this affair came to nothing.

*Mr. P. Anderson.*

The same day the copy of the Earl of *Cassils's* case was produced in Council, and Mr. *Patr. Anderson* was ordered to be sent to the *Bass*, unless he presently gave security,



security, under the penalty of two thousand merks, to leave *Edinburgh* and five miles round it, and converse with none but those of his own family. This was hard treatment, for alledged keeping of *Conventicles*: at his own house, and corresponding with Mr. *Welfs*, *Williamson*, &c.

Next Day, they agreed upon a letter to be sent to his Majesty, wherein they say,—"Whereas, the Earl represents, that we granted commissions to the Marquis of *Atbol*, and others to take free-quarters—" We humbly conceive, that your Majesty had just reason to look on his jurisdiction of *Carrick* and some other western shires, as in a state of rebellion, since *Field-conventicles* are, by your laws, declared to be rendezvous of rebellion; and that these were so increasing, that there were far more armed men assembled in them almost weekly, than could be repressed by almost thrice the number of your standing forces.—But yet our orders are falsely represented; for we only gave orders to take free quarters, as your Council and Committee should order; and that your Council has given orders, is denied;—yet to the end that none should suffer, but such as should continue guilty, it was offered by your Council, that only such, as should refuse to secure the peace, should be quartered upon; and accordingly, protections were granted to all such who secured the peace.—Whereas, it is represented, that a bond was pressed without law, it is humbly asserted, that the bond was only offered, but not pressed.—And as to the legal security by *Lawborrows*, it is expressly warranted by 129th act, parl. 9th James I. And universal *Lawborrows* are warranted by act 13th parl. 6th James II.—Upon which account, it is humbly craved from your Majesty's justice, that the Earl of *Cassils*, who hath contemned your proclamation, and charged your Privy-council with crimes of so high a nature, may be sent down prisoner, to be tried and judged according to law."

This is but a very short extract of the letter, which the reader will find, at large, in *Wodrow*, p. 501, &c. who

Proceedings as to Cassils's case.

Remarks.

1678. who justly observes, that there was as little rebellion at *Field-conventicles* as in *Churches*. It was the Council, that first called them *rendezvouzes of rebellion*, and from this inferred, that the west-country was in a state of rebellion. How justly, must be left with the reader. Besides, it is absolutely false, that there were weekly more armed men at these Conventicles than *thrice the number of the King's forces could suppress*. That some attended these meetings *in arms*, is not denied; necessity obliged them, to defend themselves against the wicked assaults of the soldiers. They tell his Majesty, that his Council did not *give orders* for free quarters: but what a shift was this, when their Committee did it by their authority? And it is false, that free quarters were only upon the refusers of the *bond*, when it is well known, that the *Highlanders* came several days before the time of taking the *bond*; and free quarters were allowed on the lands of *Cunninghamhead* and others, who could not be reckoned *refusers*. In a word, it may make the reader smile, to hear them saying, the *bond* was *offered*, but not *pressed*. If the sending in of an army, the charging with *Lawborrows*, and putting to the horn was not pressing, then nothing need be called so.

With the above letter, the Committee sent up to the King an information of their proceedings with the Earl of *Cassils*. And about this time, the Managers thought it convenient, to publish a paper entitled, *A true narrative of the proceedings of his Majesty's Privy-council in Scotland for securing the peace of that kingdom in the year 1678*. Remarks were made upon this narrative in a letter to a friend, which abundantly exposed what is asserted in the above paper.

The tyranny of this period gave an almost general disgust, and therefore it was not improper, for the Managers to defend their conduct, the best way they were able.

Mr. Ross. On the sixth of *April*, the Council ordered Mr. *Alex. Ross*, a Minister, in the North, who had been detained prisoner in the Tolbooth of *Edinburgh* for the space of four months, without laying any thing to his charge, to be released, upon giving security to live peaceably.

On

On the 10th, the Council being informed, that many in the shire of *Lanerk* had not surrendered their arms, ordered their Committee to do all they could to disarm them. And, accordingly, they did their utmost; but many chose rather to run all hazards than to come and deliver their arms upon oath.

1678.  
*Lanerk-shire further disarmed.*

On the 13th, the Committee at *Glasgow*, considering that Mr. *Wylie* and Lord *Semple* had both withdrawn, wrote to the Earl of *Dundonald*, one of his Lordship's trustees, to do all he could to get him to return to the University; and on the 16th, Lord *Semple's* mother, a *professed* PAPIST, petitioned the Council, that they would, either, recommend the care of her son's education, to such persons as shall be answerable to their Lordships, or take some proper measures, for securing to him his small fortune, during his minority, and himself in such principles as were most suitable to his Majesty's government, and might engage him in loyalty to the King and his successors. The Council upon this enjoined the Bishop of *Argyle* and Lord *Ross*, to appoint some person of sound principles and loyalty, to be Tutor to the petitioner's son.

*Lord Semple's case.*

On the 19th, an express arrived, and the Council sat down at eight in the morning, when a letter was read from his Majesty, signifying, that he had considered the representations made by some of his subjects, relating to the methods lately taken with the west Country, and that he was resolved to hear things more fully, and, in the mean time, commanded, that the *bond* and *Law-borrows* should be suspended till his further pleasure; and that all his forces, except his own guards, be immediately disbanded. This surprized the Managers, who were expecting the Earl of *Cassils* to be sent down prisoner, and therefore they dispatched Sir *George McKenzie* to *London*, by whom they wrote to the Earl of *Murray* and Lord *Collington*, signifying their readiness to obey his Majesty's commands, and reflecting on these Noblemen and others, that had gone to Court at this time, as if they had done all, they could, to shake the foundations of authority, to such a degree, as it will be past remedy, if it be not speedily vigorously adverted to by his

*Bond and Lawborrows suspended.*



1678. his Majesty : and therefore they begged them to concur with the Advocate, in representing things to the King.

*Sir John Cunningham went to court.* But on the 22d, *Sir John Cunningham* went up likewise to *London* ; and though he and *Sir George Lockhart*, who had gone before him, had neither of them refused the *bond*, yet they were clear to give it as their judgment, that the imposing of it and the *Lawborrow* was contrary to law ; and therefore the sentiments of such eminent Lawyers could not but have weight.

*Forces disbanded.* However dissatisfying the King's last orders were, yet the *Blue-coat* and *Niddale* regiments, who were got as far as *Lanerk*, were both disbanded. Lord *Haltoun* went to the Committee at *Glasgow*, and gave them the first information of this sudden change ; but, at the same time, he assured them of the King's favour, and that he would approve of their proceedings, though his affairs in *England* made it necessary to disband the forces, and suspend the *bond* for a little while. However, this put a stop to the disarming of the shire of *Lanerk*. And,

*Committee comes to Edinburgh.* On the 24th, the Council wrote to their Committee, that since disorders by numerous *Field-conventicles* in *Fife*, *Merse*, *Teviotdale*, and *Linlithgow*, were come to such an height, and matters of moment were to be deliberated upon on the first of *May*, therefore they desired them, as their business in the West was finished, to come in to *Edinburgh*.

*Proposal for raising more forces.* What these matters of importance were which the Council had before them on the first of *May*, I know not ; possibly, they were to concert upon proper methods, for suppressing what they call'd the increasing of disorders by numerous *Field-conventicles*, and for this end to have a standing army, notwithstanding the late orders for disbanding the forces ; and, no doubt, they took care to represent things in their own way to the King.

*Field-meeting on the hills of Whitekirk.* Mean while, on the fifth of *May*, there was a large *Field-Meeting* on the Hills of *Whitekirk* over against the *Bass*. A party of about forty Soldiers and twenty country people, whom they pressed to go along with them, commanded by Ensign *Charles Maitland*, being sent by the Governor, came upon them. The people resolved

resolved to keep together, and not offer any violence, unless they were attacked. The party advanced, and commanded them, in the King's name, to disperse. Some, who were near them, answered, that, tho' they *honoured the King*, yet they were resolved to hear the Word of God. Upon this, a Soldier giving a blow to one of the people, an able-bodied countryman knock'd him down. Being thus engaged, the people; on that side of the meeting, quickly surrounded and disarmed the Soldiers, and sent them off. No harm was done to any of them, further than that one was killed on the spot. Two of the meeting were taken that day, and several others afterwards; among whom were *James and Geo. Learmonts, William Temple, Rob. Hepburn in East-fentoun, and Will. Bryson, younger, in Dumbar*. The first of these was executed in *September*, as shall be related.

1678.



Though, on the 10th of *May*, the Council recalled the garison at *Air*, yet on the 14th, they had a letter from the King, dated the seventh, declaring, that, considering the abounding of *Field-conventicles* these rendezvous of rebellion, he thought fit, that some more forces should be raised, and that he expected a speedy and exact account of what number and quality of troops would be necessary. —

*Proposed for more forces.*

How fluctuating were his Majesty's Councils! the one day to order the forces to be disbanded, and the next, in a manner, to order a new levy to be made. However, this letter was what the Managers wanted. And the same day, in their return, they took notice of the growth of *Conventicles*, and that the raising of new forces was the best way to suppress them; and therefore they proposed two troops of horse, each consisting of a hundred men; and as the support of these necessarily called for money, that a *convention of estates* should be summoned to provide it. But before these things could be brought about, several occurrences happened.

Accordingly, on the said 14th of *May*, the Council were informed of a Conventicle at the house of the *Williamwood* in the parish of *Catcart*, in the shire of *Renfrew*, where the meeting was dispersed, and upwards

*Conventicles at Williamwood.*

1678. of sixty men were taken prisoners by the Dragoons, who pursued the common people. The Ministers happily escaped. About thirty-four *Glasgow* people, and as many countrymen were carried in prisoners to *Glasgow*, where they were examined by Lord *Ross* and others. The *bond* was offered to them, and the few that complied were released; but the rest, after some days imprisonment, were sent to *Edinburgh* under a strong guard, where we shall leave them, till we see, what passed between the King and the Noblemen and others, who, in *March* last, had gone to court. Many of them, after long attendance, came away.

Duke Hamilton,  
 &c. admitted to  
 audience.

But at last, on the 25th of *May*, Duke *Hamilton*, Lord *Cochran*, Sir *John Cochran*, and Lieutenant-General *Drummond*, were commanded to attend upon his Majesty at four o'clock. When they appeared, the King, being accompanied with the Dukes of *York* and *Monmouth*, and the Treasurer, first asked, why they had come to him contrary to his proclamation? The Duke of *Hamilton*, who spoke first, entreated his Majesty to let him know, why he had laid him under marks of his displeasure, *viz.* his being turned out of his Council, and since ever he came to *London*, not having had the honour of kissing his Majesty's hand. The King replied, he would first know the grounds of their complaints, before he returned an answer. The Duke said, that he had his Majesty's encouragement to come, since he told them, when last at Court, that, when he was any way wronged, he should come to himself, and make it known. Upon this, they gave his Majesty a particular account of the invasion of the *Highlanders*, their quartering, and plunders, &c. the *bond*, the *Lawborrows*, their being *denounced*, and forbid, by proclamation, to lay their condition before the King. To which the King returned, that these were horrid things, and desired they would set them down in paper. The Treasurer said, that whatever was in these *free-quarterings*, and in the rest, they might have been prevented by taking the *bond*, which he conceived there was *law* for, there being two alternatives in it, either to deliver their tenants prisoners, or turn them out of their farms. To this it





was replied, that there was no obliging masters to apprehend their tenants; the furthest the act of parliament 1670, went, was to oblige masters for their families and servants. 2. That masters could not be obliged to turn tenants out of their lands, in regard the punishment for going to a *Conventicle*, was, by law, appointed to be a *fine*, which was not so grievous, as turning them out of their possessions. Besides, they urged that most of the tenants had *leases*, by virtue of which they had a legal right to their possessions, and could not be turned out for a crime, that was only *fineable* by law. This conference held two hours, and much was said by both parties. The King, in the conclusion, told them, that he could not judge of what they had said, unless they would give it under their hands, that he might lay it before his Council. They answered, that they came to his Majesty, to inform him of the wrongs and oppressions of the country, and not to *accuse the COUNCIL*, which they knew was dangerous, unless his Majesty would *indemnify* them; which the King refusing, they said, they left the matter with him, to do in it as he thought proper. In a word, tho' sometimes the King seemed to be moved, yet being still under the influence of *Lauderdale*, he gave them no redress. So far from it, that three days after this conference,

On the 28th of *May*, he wrote to the Council, approving of their whole conduct, and recommending to them to take all such legal courses, as they should find necessary, for preserving the authority of the state, and securing the government of the *Church*, as by law established.

The same day, *John Bowie, Jam. John and Rob. Maxwells, Dav. Corbie, Will. Niven in Sharps, Will. Urie, Jam. Lickprewick, Jam. Blackwood, Rob. Reid, Dav. Fergusson, Will. Steven, Dav. Gray, Arch. Had-* *Several ordered for transportation.*  
*doway, Mungo Cochran, Rob. Hay*, and many others, being called before the Council, to give their *oath*, who preached at the above *Conventicle* at *Williamwood*, and refusing, were sentenced to be transported to the *Plantations*, and to lie in prison till a ship was got ready.

1678.

*Proclamation for a convention of estates.*

At the same time, a letter was read, appointing *Lauderdale* Commissioner, and a proclamation was published for calling a CONVENTION OF ESTATES to meet at *Edinbrough* on the 26th of *June* next. In this proclamation, the kingdom is represented to be in danger from those EXECRABLE *Field-conventicles*, so justly termed in our laws, the *rendezvouses of rebellion*; and therefore, in order to suppress them, this *Convention* was called to raise and provide for more forces.

*Remarks.*

Hind let loose, p. 132.

These Conventicles got a new epithet, they were formerly called *seditions* and *rendezvouses of rebellion*, but now they are called EXECRABLE. But it was well known, that these *execrable* meetings, as they were called, had much of the Divine Presence among them; and, as one observes, many were really converted, more were convinced, and generally all, who attended them, were reformed from their former immoralities. Besides, we have related, that the occasion of these meetings was owing to the *execrable* proceedings of the Managers at that time. Neither is it any wonder, though some were obliged to attend them *in arms*, when we consider the sanguinary laws that were made against them, and how they were exposed to the illegal assaults of the Soldiers. For a long time, they met without any arms, and were frequently disturbed and dispersed. Some were killed, others were wounded, which they patiently endured *without resistance*. At last, several Ministers had a price set upon their heads, and many were outlawed; and therefore finding that they thus were appointed *as sheep for the slaughter*, they looked upon it as their duty to provide for their *necessary defence*. We have related how they were debarred all manner of liberty to worship God in publick, and on the severest penalties forbid to assemble either in the churches or in private families. But being persuaded, that it was their duty not to forsake the assembling of themselves together, they therefore took to the *fields*.

*Sixteen ordered for transportation.*

On the 13th of *June*, about sixteen more, who had been at the Conventicle of *Williamwood*, were sentenced to be transported. They were given to *Ralph Williamson* of *London* to dispose of them, or sell them to the best

best advantage ; and they were to lie in prison till they could be shipped off. 1678.

On the 20th, *George Hume* of *Kimmergham* and *Jane Hume* Lady *Ayton*, having been imprisoned for a clandestine marriage, (I suppose for being married by a *presbyterian* Minister) were released, on paying a thousand merks fine, and seven hundred and fifty merks for pious uses.

On the 26th, the CONVENTION OF ESTATES met according to appointment. *Parliaments* now could not be ventured upon, lest an enquiry should be made into the state of the nation, and proposals made for redressing grievances. A convention answered the end of raising money, which was the great thing now in view. But the hindering the parliament to sit, was one of the arbitrary measures of this period. Convention fit down.

On the 10th of *July*, they passed their act and offer of 1800000 *l. Scots* to be raised, in the space of five years, being three hundred and sixty thousand pounds *Scots* yearly. In the preamble to this act, they say, among other things, "That it is not fit, that this kingdom should only, of all others, remain without defence, at a time, wherein these dangerous *Field-conventicles*, declared by law, *rendezvous* of rebellion, do still grow in their numbers and insolencies ; against all which the present forces cannot in reason be thought a suitable security. Their act and offer.

The design of this *assessment* was to maintain an army for suppressing these *Conventicles*, which were the butt of their malice : and now the Bishops had what they wanted, their friends were provided for in the army. The *Presbyterians* were divided among themselves on account of the *indulgence* : and the imposition of this *cess* increased their divisions ; and the rigorous execution of it, together with the cruel oppressions of this new army, occasioned a rising, which shall be related in the next volume. Remarks,

Some looked upon it as unlawful to pay this cess, and others were of opinion, that, since violence was both expected and used, it was more adviseable, by a piece of money, to preserve themselves and their families alive, and their substance from being taken from them, Different opinions.



1678. them, than, by an absolute refusal, to give an occasion and afford a legal pretence to the cruelty of the collectors, to destroy *all*. They added, that paying *cess*, in these circumstances, was not spontaneous, but constrained, and therefore the payers were to be excused, and looked upon as sufferers, rather than actors. There were a few others, who payed this imposition with a *declaration*, chusing the middle way between paying it without any testimony against what was *evil* in it, and refusing to pay it at all. Among them was *Quintin Dick of Dalmellington*. The reasons of his conduct, I shall lay before the reader in his own words, as follow :

Quintin's  
Dick's  
sentiments  
and prac-  
tise.

“——After much liberty in pouring out my heart to  
“ God, I was brought to weigh, that as my paying  
“ of it might be, by some, interpreted a scandal and a  
“ sinful acquiescence in the Magistrates sinful com-  
“ mand ; so, upon the other hand, my refusing to pay  
“ it would be the greater scandal, being found to clash  
“ against a known command of God, of *giving to all*  
“ *their due, tribute to whom tribute is due, custom to*  
“ *whom custom* ; and knowing that Christ Jesus, for  
“ that same very end, to evite offence, did both pay  
“ tribute himself, and commanded his followers to do it,  
“ I could see no way to refuse payment of that *cess*, un-  
“ less I had clashed with that command, of paying tri-  
“ bute to *Cæsar*. So, to evite the scandal of comply-  
“ ance on the one hand, and disobedience to the Ma-  
“ gistrate, in matter of *custom*, on the other, I came to  
“ a determination to give in my *cess* to the Collector of  
“ the shire of *Air*, with a protestation against the Ma-  
“ gistrates, sinful qualification so his commands, and a  
“ full adherence unto these meetings of God's people  
“ called *Conventicles*, which, in the act, he declared his  
“ design to bear down.— I had no sooner done this,  
“ but—it was said that my protestation was only to  
“ evite sufferings, and could be of no weight, being  
“ *protestatio contraria facta*. But being persuaded, that  
“ it is the Magistrates right to impose and exact *cess*  
“ and custom, I could have no clearness to state my  
“ sufferings in opposition to so express a command of  
“ God,

“ God. And as to the Magistrates sinful qualification,  
 “ having so openly declared and *protested* against it, I  
 “ conceive, the censure of this, to evite sufferings, is  
 “ groundless, seeing that the enemy has subscribed with  
 “ my hand, before witnesses, a resolute adherence to  
 “ that, which they say this leads to overthrow; and if  
 “ he mind to persecute, upon the ground of owning  
 “ *Conventicles*, he has a fair and full occasion against  
 “ me under my hand, &c.

Thus far he. But to do justice to those, who refused to pay this *cess*, I must briefly relate their sentiments on this head. Thus they allowed, 1. That *tribute* and *custom* are to be paid to the persons ordained by God; but the *impositions* of *tyrants*, enacted and exacted for *promoting their wicked designs against* RELIGION and LIBERTY, are no ways due, and therefore it is not equity to pay them. 2. It is lawful to pay them, when due, either by law or contract, even though they should, afterwards, be abused to pernicious ends. But these payments for *such wicked ends*, either particularly specified in the very act appointing them, or openly avouched by the exactions, are of another nature from impositions *fundamentally* appointed for the publick good. 3. It is sometimes lawful to pay them, even when *illegally* exacted, if afterwards they were, by dedition or voluntary engagement, legally submitted to by the true representatives. But not so, when they were never either lawfully enacted, or legally exacted, or voluntarily engaged by the representatives, except such, as represent the *enslavement* of the nation, and betrayed the country, religion, liberty, property, and all persons interests, and declaredly imposed to further the destruction of all. If it be objected, that Christ paid custom, lest he should offend, and that the *Jews* wondered at his prudent answer, *Render to Cæsar the things that are Cæsar's, and to God the things that are God's*; it is sufficient to observe, that he taught them in general, to give nothing to *Cæsar*, in prejudice to that which is *God's*; and consequently, it must be unlawful, to pay a tax, that is appointed for *suppressing the worship of God*, wherever it is performed agreeable to his word. And to make the case

Hind let  
 loose, p.  
 715. &c.

1678. case parallel, it is no less than blasphemy to say, that Christ would have paid, or permitted his followers to pay a tax, professedly imposed, for levying a war against himself, or banishing him and his disciples out of the land, or to fill the mouths of the greedy *Pharisees*; or that he would have paid, or suffered to pay their extortions, if any had been exacted of him or his disciples, for his preaching or working miracles; or if help or hire had been demanded for the encouraging those, that ran to stone him for his good deeds. 4. It is lawful to pay a part to preserve the whole, when it is extorted only by force and threatnings, and not exacted by *law*; when it is yielding only to a lesser suffering, and not consenting to a sin to shift suffering; for though, no doubt, a man may give a robber a part, to save his life, or preserve the rest, yet if the robber requires not only a part for himself and his underlings, but demands it, for this very end, that he may be in case to murder his father, mother, wife, children and friends, whom he has in his power; the question is, whether it would be lawful, for any person to comply in these circumstances? But the imposers of this *cess* did not look upon themselves as robbers, but claimed this exaction, as a just debt; and that for this declared purpose, to enable them, to bear down the assemblies of God's faithful people. 5. It is lawful *passively*, by forcible constraint, to submit to the execution of such wicked *sentences*, as impose those burthens, if it be not by way of *obedience* to them; this is *suffering and not sinning*. But it is unlawful, to comply with the payment of a *cess*, when imposed, with an evident design, to overthrow the work of God, and harraß and persecute his people. The duty, in that case, is to take *joyfully the spoiling of our Goods*, and not to comply with impious demands. 6. It is lawful, of two evils of sufferings, to chuse the least, when they are in our choice; but this is not the present case. It is true, there is this alternative, either to comply and pay the *cess*, or else to be exposed to the rigorous oppressions of the laws then made. If the first could be done without sin, then it doubtless might, to avoid the terrible consequences of the last. But as an active compliance with  
the



the former is sinful, we are to chuse suffering rather than sin. When Christ was tossed at sea with his disciples, had the *Jewish* rulers given peremptory orders to furnish money for paying those, whom they were to employ to sink the ship, can it be imagined, that any of the lovers of *Jesus* would have complied with their demands? Now has not Christ, and all the interest he hath in the nation, been embarked, as it were, in one bottom? And have not the rulers sent their peremptory orders to pay a *cess* for sinking his floating interest? Can any, who profess to love him, comply with this? Can this compliance especially be given into by those, who, by *solemn covenant*, were obliged to maintain and defend it. Thus I have given a brief account of some of those things said in behalf of those, who refused this *cess*. The reader will find this point largely discussed in the book quoted in the margin, from which I have taken these hints. I now go on to the subsequent occurrences.

1678.

On the first of *August*, *John Millar* in *Kirkcaldy*, *Dav. Barclay*, *Rob. Marnock*, and seven or eight more, were brought before the Council, for having been at several *Field-conventicles*. They refused to swear against any, who were present with them, and so had a sentence of transportation passed against them. *Proceedings of the Council.*

They likewise renewed their former act, requiring all concerned in the execution of the laws, to take the *oath of allegiance* and *declaration*, and appointed their act to be printed and sent to the members of inferior judicatures, town-councils and magistrates. It seems, *William Stirling*, Bailie-depute of the the regality of *Glasgow*, had not exerted himself sufficiently in suppressing *Conventicles*. And therefore,

On the 14th of *August*, he appeared before the Council, and alledging, that being but newly vested with that office, he was unacquainted with the methods of the Court; whereupon the Lords required him to be more diligent for the future. The same day, *Sir James Stewart*, late provost of *Edinburgh*, who had, for some time, been prisoner in the castle, was, by reason of his old age and infirmities, set at liberty, upon giving a

1678. bond of ten thousand merks to appear when called. At the same time *Thomas Kennedy* of *Grange*, confessing that he had been at a *Conventicle* last year, was fined in eight hundred merks, which he presently paid, and was discharged.

Next day, the Council wrote two letters, the one to *Dundonald*, to order Mr. *Wylie* to appear before them on the 11th of *September*, and provide a proper tutor for Lord *Semple* (p. 330.) the other to the Bailie of *Maybole*, in the shire of *Air*, concerning a *Conventicle* near that place, at which several attended *in arms*; but the matter was dropt. The same day, the Magistrates of *Air* were ordered to apprehend Mr. *John Cunningham*, Chamberlain to the Laird of *Entrekin*, for harbouring Mr. *John Welsh*.

*Meeting of Ministers.* About the end of this month, a considerable number both of the *indulged* and *not indulged* Ministers met at *Edinburgh*, for composing the differences that had risen on account of the *indulgence*, which several had been preaching against; and, as some apprehended, carried things to an *excess* in their sermons. They had two probationers before them, but to little purpose; a third declined to converse with them, or be subject to their admonitions.

*Remarks.* We have related how dissatisfactory the *indulgence* was to many, and how the acceptance of it offended numbers, because it flowed *entirely* from the *supremacy*. On the seventh of *October*, 1671, the Rev. Mr. *John Livingston* wrote a letter from *Rotterdam* to his parishioners of *Ancram*, in which he condemned those who accepted the *indulgence*, without any publick *testimony* either of their adherence to the oath of *God*, and work of reformation, or against the *usurpations* of the civil Magistrate upon the *royal prerogative* of the Lord *Jesus Christ*; and among other things tells them, “ If any  
“ Ministers have had a hand in contriving or procuring  
“ that *indulgence*, I suppose, they have done *more mis-*  
“ *chief* to the Church of *Christ* in that land [*Scotland*]  
“ than *all the Prelates*, and *all their Hirelings*.” Besides, the reader will observe, that these worthy persons, who had not freedom to accept of the *indulgence*, were ex-

posed

posed to the rage of the persecutors, and deprived of all their liberties both civil and sacred; and therefore, though they had expressed themselves in their sermons in terms that could not be *altogether* justified, had they not great provocation? And when they were convinced, that the *indulgence* was injurious to Christ as *Head of the church*, flowing from and depending upon the Magistrates *supremacy*, that it was inconsistent with *presbyterian* principles, that it invaded the rights of the Christian people, not only by depriving many of them of their own Ministers, but also obliging them to submit to any, the Council should send them; that by this, *Erastianism* was established; were they to be condemned in preaching against it, nay, and in bearing their testimony against the acceptors of it? I doubt not in the least, but many, who accepted the *indulgence*, were worthy and valuable persons; but *humanum est labi*. And it was certainly the duty of Ministers to concert measures for bringing about peace and union: but at the same time, how they were to be condemned, who, for the sake of union, could not renounce their principles, must be left with the reader. It is certain, excesses of all kinds are to be avoided; and it is not surprizing, though some did exceed the bounds of moderation in this infamous period.

On the 11th of September, Pat. M'Dougal and Mr. James Lawrie of French, Tho. Hay of Park, Joh. Blair of Dunskey, And. Agnew of Sbeucham, Alex. Veitch of Glen, William Weitch tenant to Glencranston, Adam Russel late Bailie of Peebles, were prosecuted for house and Field-conventicles. They who appeared were acquitted.

The same day, Sir Patrick Hume of Polwart (p. 269.) in consequence of a letter from the King, was ordered to be removed from the Tolbooth of Edinburgh to the Castle of Dumbartoun. This Gentleman had been imprisoned in September 1675 (p. 379.) and was ordered to be released in February 1676 (p. 386.) If that order was complied with, it would seem he was again committed to prison; for it is plain, he was at this time in goal at Edinburgh.

Another letter from his Majesty was read in Council, at the same time, requiring them to raise two Highland companies

Gentlemen  
in Gallo-  
way pro-  
secuted.

Polwart  
sent to  
Dumbar-  
ton.

Council's  
actions  
against



1678. companies, each consisting of a hundred and fifty men, besides officers, for putting a stop to the depredations in the *Highlands*. Whether this order was complied with, my author did not find from the registers. The suppressing of *Conventicles* took up most of their time; for at the same meeting, they ordered the arms and papers of Nonconformists to be searched for and seized. And next day, Soldiers were sent to *Coupar of Fife*, for executing whatever orders they should receive from the Council or their Committee, or the Major-General. They likewise enjoined the Magistrates of *Kirkaldy*, to proceed against those, that had left their parish church to frequent *Conventicles*, and thanked the Magistrates of *Dundee* for their care in this respect. They likewise wrote to the Marquis of *Douglafs*, desiring him to present *John Haddoway*, *James* and *William Clelands*, in consequence of his bond, to produce them when called. They had been before the Council 1677, for being at *Conventicles*; but upon his Lordship's bond, the process against them was delayed. At the same meeting, the Chancellor produced a letter from the Earl of *Dundonald*, signifying, that the Commissioners of assessment, for the shire of *Renfrew*, scrupled the *Declaration*, which they conceived related to *burghs*, and not to *shires*; whereupon they ordered that both the *allegiance* and *declaration* should be tendered to them, and a list of the *Recusants*, &c. should be sent to the Council. And,

Several  
passed.

Mr. Har-  
roway.

On the 13th of *September* both these were re-imposed on the burghs. At which time, *James Mosman* was fined a thousand merks, *Will. Laing* and another, in five hundred merks apiece; and six or seven more, all tenants of the Laird of *Cavers*, a hundred merks each, for hearing Mr. *Wells* and other ejected Ministers; and the Council gave them to know, that, unless they paid their respective fines against next *November*, they should be transported. And they actually passed sentence of transportation against Mr. *John Harroway*, for preaching, baptizing and marrying without *EPISCOPAL ordination*, and refusing to declare, upon oath, who the *Presbyterian* Ministers were, by whom he was ordained.

*Robert*

*Robert Dick*, Merchant in *Prestonpans*, was likewise banished for being at one Conventicle; for refusing to clear himself by oath, he was declared guilty. They likewise ordered the Earl of *Linlithgow* to bring in several persons prisoners, who had lately been at a Conventicle near *Renfrew*. The same day, they wrote to Lord *M'Donald*, ordering him to come before them, on the 27th, and give security for the peace of the bounds; but he was in no haste to obey their summons. And on the 16th, the Bishop of *Glasgow* was admitted a Councillor and a Member of the Committee for publick affairs.

1678.

R. Dick.

While the Council was thus taken up about Conventicles, the trial of *James* and *George Learmonts* (p. 457.) of *Jam. Learmont, &c.* *William Temple*, *Robert Hepburn* of *East-senton*, *Will. Bryson*, younger, in *Dumbar*, came on before the Justice-court, consisting of Lord *Carrington*, Justice-general, Lords *Collingtoun*, *Strathburt*, *Castlehill*, *Forret* and *Newtoun*. They sat down on the 11th of *September*, and the prisoners were indicted for being at the Conventicle, over against the *Bass*, and being art and part in the murder of the Soldier, &c. In the beginning of the process, the Advocate passed from *Hepburn* and *Bryson*, in order to pursue them before the Council for *Field-conventicles*. Mr. *David Thoires*, Advocate for the prisoners, pleaded that their simple presence, in a croud of a thousand persons, cannot make them guilty, and offered to prove, that they came unarmed, and that others declared Fugitives, and not them, were seen to strike the deccated with swords and halberts, whereas, the prisoners retired before the engagement. The King's advocate replied, that *Field-conventicles* were rendezvouses of rebellion, and the prisoners presence there in arms was enough to prove them guilty, which he undertook to make good. The Lords, in their interlocutor, declared, that presence at *Field conventicles*, and giving council and command, infer guilt, and accordingly referred the same to be proved.

The witnesses were examined; and *James Mander-scoun* swore that he saw *Jam. Learmont* at a *Field-conventicle* May the fifth, that he had no arms, but that he heard

1678. heard him say, *Let no cowards be here to day; but let such, as have arms, go out to the fore-side; that he saw William Temple there with a sword.* Other two witnesses swore much to the same purpose; but none swore that *Jam. Learmont* had any actual concern in the engagement. In his last speech, he tells us, that the jury, at first, declared he was not guilty of the blood that was shed. Their verdict was, "That they found *William Temple* guilty of being at the *Conventicle* libelled, near the place where the man was killed, with a sword under his arm, but not drawn; as also, that *James Learmont* was not only guilty of presence, but of words conform to the deposition of witnesses."

Con-  
demned.

When this was given in, the Advocate declared, that they deserted the Diet against *Geo. Learmont*. Several others, who were at the said *Conventicle*, as *Sheriff Cowan, Dawson, Brock, Miller* and *Bull*, were called, and not appearing, were declared fugitives and outlawed. Next Day, *September 13*, the following sentence was pronounced, viz. That *James Learmont* be taken to the *Grass-market* of *Edinburgh*, on *Friday* the 27th instant, and there have his head severed from his body, &c. No sentence was this day pronounced against *Will. Temple*; and tho', according to their own law, he was certainly more guilty than *Jam. Learmont*, yet a sentence of transportation was all that was passed against him.

executed.

An aged Minister told *Mr. Wodrow*, that, eight or nine years after this, he was called to see a man on his death-bed, who declared a few hours before he died, that he was one of those, who were concerned in the death of the Soldier, for which this good Man *James Learmont*, was executed on the 27th according to his sentence. In his last speech, he bore an honourable testimony to the covenants and work of reformation, against popery, prelacy, &c. prayed, that God would give repentance to those, who were accessory to his death, exhorted all people to shew loyalty to the King and all lawful Magistrates, and all their just and lawful commands, in so far as they agreed with the word of God; and concluded his long speech with these words; 2 Tim.

Naphthali.



iv. 7, 8 : *I have fought a good fight, &c. surely I come quickly, amen, even so, come LORD JESUS.* 1678.

On the ninth of *October*, a letter from the King was read in Council signifying, that he had granted commissions to raise a regiment of foot, consisting of eight companies, and three troops of horse, of sixty men each, besides officers, for securing the kingdom from foreign invasions, and intestine commotions, and requiring all the officers of the former and new levied forces, to repair to their respective posts, upon pain of his displeasure. Upon this, the Council appointed the Earls of *Murray*, *Wigton*, and *Linlithgow*, the Bishop of *Galloway* (for he must be employed for the CHURCH in military affairs) the Lords *Elphinstoun*, *Ross*, and *Colington*, and Mr. *Maitland*, or any three of them, to meet the 22d instant, and deliver commissions to the Officers named by his Majesty, and to order them to rendezvous on the Links of *Leith*, on the last *Thursday* of *November*. More forces raised.

The same Day, Mr. *James Hamilton*, the indulged Minister at *Evandale*, was rebuked before the Council, for preaching in a vacancy, and so breaking his confinement; but that being his first fault, he was dismissed without any further censure. And at the same sederunt, *Alex. Buchanan* in *Bucklyvie*, and *And. Buchanan* in *Shirgartoun*, and about seven others, were banished for *Conventicles*, and ordered to be kept prisoners, till they should be transported. Alexander Buchanan, &c. banished.

Next day, the Council appointed some garisons in several places of the *Highlands*, for preserving the peace there, and permitted Dame *Margaret Ker* to wait upon the Laird of *Polwart*, a prisoner in *Dumbartoun-Castle*, till the first of *November* next. Garisons.

In *November*, a process commenced against some of the indulged Ministers in the shire of *Renfrew*, as Mr. *Patr. Simpson* and Mr. *Jam. Wallace*, for breaking their confinement; of which more next year.

On the seventh, *Tho.* and *Will. Govans*, *Alex. Anderson*, *Rob. Pontoun*, *James Wilson*, *Job. Jervie*, *Jam. Brown*, *Nich. Clidsdale*, *Dav. Kid*, and *Job. Arnot*, having confessed their being present at *Conventicles*, and refusing

1678. refusing to declare upon oath, who preached, or who else were present, were banished to the Plantations; Mr. *Job. Govan* denying, that he was at the Conventicles charged against him, and only had conversed with Mr. *Forester* his brother-in-law, was ordered to lie in prison till his case should be further considered. He was, however, set at liberty on the 11th of *November*. At the same time, the Council wrote to the Lord *M'Donald*, commanding him to appear before them, on the 28th instant. But that popish Lord had a friend at Court, and so paid but little regard to the charge.

Mr. Peden banished.

On the 14th Mr. *A. Peden* petitioned the Council, to be released from *Edinburgh* jail, and permitted to repair to *Ireland*, especially, as he had not been charged with *house* or *Field-conventicles* for these twelve years past. But instead of granting his petition, they ordered him to be transported to the Plantations. After this sentence was passed, it is reported, that Mr. *Peden* several times said, that that ship was not yet built, that should carry him or the other prisoners to *Virginia*, or any other of the *English* plantations in *America*.

The same day, a letter came from the King concerning raising and modelling five thousand foot and five hundred horse out of the militia; and the Council sent up instructions relating to this for his Majesty's approbation. Next day, *November* the 15th, they issued a proclamation for observing a publick fast on the 18th of *December* next, on account of the POPISH PLOT discovered in *England*.

Popish plot  
Tindal's  
note on  
Rapin.

The chief promoters and authors of this were Pope *INNOCENT XI.* Cardinal *Howard*, *Johannes Paulus de Oliva* General of the *Jesuits* at *Rome*, *Pedro Jeronymo de Corduba* Provincial of the *Jesuits* in *New Castile*, *La Chaise* Confessor to *LEWIS XIV.* the provincial of the *Jesuits* in *England*, the *Benedictine* Monks at the *Savoy*, the *Jesuits* and Seminary Priests in *England*, who were then in number about a thousand eight hundred, the Lords *Petre*, *Powis*, *Bellasis*, *Arundel* of *Wardour*, *Stafford*, and several persons of quality. The design was to murder the King, subvert the constitution, introduce *Papery*, and extirpate the *protestant* religion. When the King

was

was taken off, the Duke of *York* was to receive the crown, as a *gift* from the *Pope*, and hold it in *fee*. If any disturbance happened, the city of *London* was to be set on fire, and the infamy of the whole was to be laid upon the *Presbyterians* and *Fanaticks*, in order to excite the Church to cut them in pieces, the better to make way for the easier subversion of the whole *protestant* religion. This plot was discovered, and several were executed for being concerned in it: and though it was discredited by many, yet it is plain, the Managers in *Scotland* believed it, and therefore, as I have observed, appointed a solemn fast to be observed. As to the particulars of this wicked conspiracy, I must refer the reader to the *English* Historians, and go on with what is my proper design.

On the 18th of *November* Sir *George Mackenzie* was made Justice-General, and *Cragie* Justice-Clerk.

On the 21st, *Thomas Wauch*, Merchant in *Hawick*, *William Turnbull*, and *Margaret Barclay* were sentenced to be banished for *house* and *Field-conventicles*, because they refused to swear as to the circumstances of them.

The *popish plot*, above mentioned, had filled the nation with consternation, and therefore on the 28th, the Council ordered the Archbishop of *Glasgow*, the Earls of *Murray* and *Linlithgow*, the Bishop of *Galloway*, Lord *Haltoun*, Mr. *Maitland*, and *Haddo*, or any two of them, to inspect the papers lately seized by the Earl of *Murray*, and appointed the Committee of publick affairs to meet next day and consider the affair of the *Papists*. But it is plain they could make no discoveries; for on the 30th, they wrote to the King, in which they congratulated his Majesty upon the discovery of the *plot*, and assured him, that, after the strictest search, they could not find, that any in this kingdom had been concerned in that execrable and impious conspiracy, and promised that they would not fail to make a farther enquiry. They wrote at the same time to *Lauderdale*, much to the same purpose. And *December* the 12th, ordered the Magistrates of *Edinburgh* to search through *Edinburgh*, *Leith*, and *Canon-gate*, next Sabbath and the following, for houses, where

examined  
into.



1678. Papists assembled and said *mass*, and to apprehend the *Priests*, and all they should find at these meetings, and imprison them. They likewise wrote to the Steward of *Annandale*, to order a meeting-house, that had been lately erected near *Castlemilk*, to be burned and destroyed, and to send the names of those, by whom it was ordered to be built. So much for the proceedings against the *Papists*: but what were these in comparison of the methods of rigour, oppression and tyranny taken with *protestant Nonconformists*, whom they hunted like *partridges* on the mountains, fined, confined, imprisoned and banished? For

The banished sent away.

On this very 12th of *December*, the Council gave a warrant to the Earl of *Linlithgow* to send a party to receive the following persons, who had received sentence of *transportation* for *house* and *Field-conventicles*, and to deliver them to *Edward Johnstoun*, Master of the *St. Michael* of *Scarborough*, then lying at *Leith*, viz. *James, John* and *Rob. Maxwels, Wil. Urie, James Lickpreveck* and *Rob. Reid*, all in *Cathcart*; *William Niven* in *Eastwood*; *Jam. Blackwood* and *Dav. Corrbie* in *Carmonnock*; *Arch. Haddoway, Joh. Bowie, Will. Hay, Mungo Cochran* and *Will. Shiels*, all in *Glasgow*; *Dav. Fergusson* and *Edward Gray* in *Bridge-end*; *Mr. Rob. Meikle* Chaplain to *Sir Jam. Stuart, Stephen Porteous* Taylor in *Canon-gate*; *Pat. Sommerwel, Wil. Hackstoun* in *Edinburgh*; *Adam Stobie* of *Luscar, Jam. Mosman* of *Mount, Wil. Laing, Joh. Cavers, Mr. Joh. Harroway, Robert Dykes, Joh. and Wil. Newmans, Jam. Miller* in *Kirkaldy*; *Geo. Alexander* in *Newburgh*; *Dav. Barclay* in *Cowquibalty*; *Gil. Marnock* Chapman, *John Clerk* Writer in *Edinburgh, Tho. Mowbray, Alex. Stuart, Jam. Law* and *Joh. Fairbairn*, all in *Kirklistoun*; *Wil. Angus* in *Abercorn*; *Jam. Brown, Rob. Pontoun* in *Dalmenie*; *Rich. Clidsdale, Mr. Adam Abercorn* Chaplain to *Lady Cavers*; *Will. Turnbull*, brother to *Beulie*; — *Cunningham* Cook to the Earl of *Strathmore*; *Will. Temple* in *Lintoun*, and *Mr. ALEXANDER PEDEN*, prisoners in *Edinburgh*, and *Jam. Pryde, Joh. Anderson* a servant in *Glasgow, Joh. Cunningham* there, *Rob. Reid* Wright in *Langside*; *Arth. Douming* there, *Will. Rae* in *Glasgow*; *Tho. and Will. Govans,*

ALEX.

ALEX. ANDERSON, servants ; *Job. Graham, Alex. and 1678.*  
*Job. Buchanans, And. Brown, Walt. M'Geckan, Job.*  
*Urie, Dan. M'Donald, Gab. Thomson* Merchant in *Glas-*  
*gow ; Dav. Kid, John Arnot, John Fervie* in *Falkirk,*  
 and *Job. Rae.* Sixty-seven in all.

They were delivered to *Johnstoun* for the benefit of *Set at li-*  
*Williamson* (p. 460.) who was to carry them to *Vir-* *lery of*  
*ginea.* Mr. *Peden* was of great service to his fellow- *London.*  
 sufferers, and frequently assured them of deliverance.  
 They had a tedious passage between *Leith* and *Gravesend*,  
 and were five days longer than was concerted before  
 they arrived. When they got to *Gravesend*, Mr. *Wil-*  
*liamson* was not there ; Mr. *Johnstoun*, who had the  
 charge of their maintenance, after waiting some small  
 time for *Williamson*, and he not coming, set them all  
 on shore to shift for themselves. They received great  
 kindness from the country, when they knew the cause  
 of their sufferings. And they generally got home to  
 their own country. Mr. *Peden* returned to *Scotland*  
 about the month of *June* next year.

*Alex. Anderson*, one of these Exiles, who was not six- *Alex. An-*  
 teen years of age, in a paper he left behind him, dated *deron's*  
*December* the 10th, takes notice, " That he is the *testimony.*  
 " youngest prisoner in *Scotland*, and that the Lord had  
 " opened his eyes, and revealed his Son in his heart,  
 " since he came under the *cross* ; that though he had  
 " much difficulty, to part with his friends and relations,  
 " yet he had now found, that fellowship with Christ  
 " did much more than ballance the want of the com-  
 " pany of his dearest relations. He declared his ad-  
 " herence to the work of reformation from *Papery* and  
 " *Prelacy*, to the *national* and *Solemn League and Cove-*  
 " *nants*, and witnessed against pulling down the go-  
 " vernment of Christ's house, and setting up *lordly*  
 " *prelacy*, and joining with them. He regreted the  
 " *indulgence*, as what, upon both sides, had been mat-  
 " ter of stumbling and offence among good people ;  
 " and declared his fears, that a black and dismal day  
 " was coming upon *Scotland*, that it is good to seek  
 " the Lord, and draw near to him," &c.

1678.

On the 19th of December, *James Daes* of *Coldingknows* was obliged to beg pardon on his knees for speaking some words against the management of affairs at that time. The same day, they had a letter from the King, thanking them for their care in modelling the militia, and of the distribution they made of the five thousand foot, and five hundred horse in the different shires thro' the Kingdom; for by this means, the militia, from which the said foot and horse were taken, effectually answered all the ends of a large *standing army*, and was a promising method to bear down and ruin the *Presbyterians*. Every one of them for himself, as well as every one of the regular forces, was appointed to take the following oath.

Military  
oath.

" I *A. B.* do swear, to be true and faith to my Sovereign Lord King CHARLES, and his lawful successors, and, in my station, to maintain the present government in church and state, as it is now established by law, and to oppose, to my power, the damnable principle of taking up arms against the King, or those commisionate by him, upon any pretext whatsoever, and to be obedient in all things, to his Majesty's Major general or Commander in Chief, authorised by his Majesty for the time being, and will behave myself obediently to my superior Officers, in all that they shall command me for his Majesty's service. And I do further swear, that I will be a true, faithful and obedient Soldier, every way performing my best endeavours for his Majesty's service, obeying all orders, and submitting to all such rules and articles of war, as are or shall be established by his Majesty. So help me God."

Henry  
Hall of  
Hough-  
head.

I shall now conclude this volume with a few things, of which I have not the particular dates. Some time this year, when Colonel *Struthers* was pursuing all *Scotsmen* in the northern counties of England, *Henry Hall* of *Houghhead* was engaged in a skirmish near *Crockom*, a village on the *English* border, where that gallant and religious Gentleman *Tho. Ker* of *Hayhope* was killed. Mr. *Hall*, after this, came down to *Scotland*, where we shall meet with him next year. He had a religious edu-



cation, and opposed the *publick resolutions*. After the *Restoration*, he was a great enemy to *prelacy*, and suffered many hardships ; so that he was obliged to leave his estate, and retire into the North of *England* in 1665. In the year 1666, he was taken, when coming from *Pentland*, and, with some others, imprisoned in *Cesford* castle ; but was released by the favour of the Earl of *Roxburgh*, who was his relation. Then he again retired to *Northumberland*, where he was very useful.

1678.

*James Graham* of *Claverhouse*, who will make a dismal figure in the next volume, came this year with a numerous party of Soldiers, and took free quarters for several days in the house of one *Gilbert M<sup>c</sup>Meiben* in *New Glenluce* parish ; and when they went off, though they had consumed ten times the value of the *Cess*, they carried with them three horses worth ten pounds sterling. *John Arrol*, who commanded this party, was killed next year at *Drumclog*, and had his bowels trode out by a horse.

Graham  
of Claver-  
house.

At another time this year, an officer came with a company of wild *Highlanders*, and fired upon a number of people assembled for the worship of God, at the Hill of *Coltenachar* in *Perthshire*. By a kind providence, one *Andrew Breddy* was the only person who was killed. He left behind him a wife and four children.

We have had frequent occasion to mention the Rev. *Mr. Blackadder* (p. 202, 301, 308.) who before the *Restoration* was Minister at *Traquair* near *Dumfries*. When the rest of his brethren was ejected, a party of the Guards came to seize him ; but he was out of the way. His wife and children, to whom the Soldiers were very rude, were forced to retire to *Barndennoch*, in the parish of *Glencairn*. In the year 1665, being with his wife at *Edinburgh*, a party of Sir *James Turner*'s men came at midnight, turned his children out of their beds, and obliged one of them, in his shirt, to hold the candle till they searched the house, and went through *Mr. Blackadder*'s books and papers, and took away what they pleased. The manner in which they threatened the poor children, is so shocking, that I forbear to mention it. After this, he was forced to leave that house and scatter his

Mr.  
Black-  
adder.

1678. his family. Mr. *Blackader* was one of those that preached in the fields, was against the *indulgence*, and continued in that practice till this year, when he went over to *Holland*, and was very useful in healing the breaches between Mr. *Mackward* and Mr. *Fleming*. We shall hear more of him next year.

Mr. Webster's sufferings. It will now be proper to give some account of the sufferings of the Rev. Mr. *James Webster*, who after the Revolution was Minister in *Edinburgh*, and died 1720. This worthy person studied in the University of *St. Andrews*. About three or four days before the class was to receive their degrees, an order came from the Archbishop, to remove him from the class, because he had not regularly attended upon ordinances; neither durst his master give him a testimonial, that he had studied under his inspection for four years, because he would not engage to attend upon ordinances as dispensed by *episcopal* Ministers.

He was, this year, apprehended in the town of *Dundee* on the Lord's Day afternoon, when at a private meeting for prayer, conference, and reading the Scriptures. Next day the Magistrates informed the Council, that they had seized a Conventicle, with Mr. *Webster* the preacher. The persons taken with him were fined, by order of the Council; and he was kept eighteen months prisoner. With difficulty he was released, upon urging the indemnity, 1679; for he was as yet no preacher.

About the year 1685, or 1686, when he was living peaceably in the house of *Grier* of *Discantb*, a party of Lord *William Douglass's* troop came on a Sabbath morning, and carried him to *Dumfries*. He was examined on the ordinary questions, and was put into the *Thieves-hole*, along with *John Clerk* a Farmer, and *John Haldane*, a Weaver; who had for their companions three, who were in hold for robbery, murder, and bestiality. Mr. *Webster* and his two friends were kept in this nasty place about three weeks, and after that removed to the *Pledge-house*, the usual prison for debtors, and was confined there four weeks, and then released by Lieutenant-General *Drummond*. The Gentleman, in whose house he

was apprehended, was likewise kept prisoner for some 1678. time. Soon after this, Mr. *Webster* was a third time taken prisoner when walking the streets of *Edinburgh*, but the Viscount of *Strathallan* quickly let him go.

Thus I have finished the first part of this work; and though it opens a black and dismal scene, yet the next part will give us a more horrible representation; for the persecution not only continued, but still grew more and more severe. It is our happiness we don't live in such times of slavery and oppression: but it is greatly to our reproach, that we so wretchedly misimprove our invaluable privileges.







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